

By Mr. DIXON of Montana: A bill (H. R. 19654) withdrawing from entry certain public lands in Choteau County, Mont., and leasing the same to the Board of Trustees of the Montana Agricultural College—to the Committee on the Public Lands.

Also, a bill (H. R. 19655) granting an increase of pension to Benjamin F. Martz—to the Committee on Pensions.

By Mr. GARBER: A bill (H. R. 19656) granting an increase of pension to G. M. Ricker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19657) for the relief of David W. Stockstill—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 19658) granting an increase of pension to Ary S. Bennett—to the Committee on Invalid Pensions.

By Mr. KEIFER: A bill (H. R. 19659) granting an increase of pension to Margaret S. Miller—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 19660) granting an increase of pension to John Gettman—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 19661) granting an increase of pension to Jacob McWilliams—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 19662) granting an increase of pension to Joseph Kircher—to the Committee on Invalid Pensions.

By Mr. MCCREARY of Pennsylvania: A bill (H. R. 19663) granting a pension to Ellen A. Corrie—to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 19664) granting an increase of pension to David Ayres—to the Committee on Invalid Pensions.

By Mr. MOORE: A bill (H. R. 19665) granting a pension to Florence A. Pickering—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19666) granting a pension to Nannie R. Harrison—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 19667) granting an increase of pension to John T. Boyle—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 19668) for the relief of the estate of John P. Kelly—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 19669) to provide an American register for the steam yacht Waturus—to the Committee on Interstate and Foreign Commerce.

By Mr. SULLOWAY: A bill (H. R. 19670) granting a pension to Maria Rogers—to the Committee on Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 19671) to correct the military record of Charles Puseker—to the Committee on Military Affairs.

By Mr. WALDO: A bill (H. R. 19672) granting an increase of pension to Thomas McDermott—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of citizens of Philadelphia, Pa., for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. AIKEN: Paper to accompany bill for relief of Sarah C. Wilson—to the Committee on Pensions.

By Mr. BATES: Petition of C. E. Thompson, master of Grange No. 110, of Spartansburg, Pa., for the Heyburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Frank H. Jones, for the bill to extend additional bounty under the act of July 28, 1866 (S. Doc. 166), allowing \$100 to all ex-soldiers of the civil war entitled to \$100 by the terms of their enlistment and that had expired by the statute of limitation—to the Committee on Military Affairs.

By Mr. BURTON of Ohio: Resolution of the American Peace Society, opposing appropriation for new battle ships—to the Committee on Naval Affairs.

By Mr. CLARK of Florida: Petition of labor organizations in Pensacola, Fla., for the eight-hour law—to the Committee on Labor.

By Mr. DUNWELL: Petition of the Iron Trade Review, favoring the pending ship subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Outdoor Art League and the California Club, favoring legislation giving California 5 per cent of the sale of her Government lands—to the Committee on the Public Lands.

Also, petition of the National Metal Trades Association, for bill S. 529 (the Gallinger bill in aid of the American merchant marine)—to the Committee on the Merchant Marine and Fisheries.

By Mr. FULLER: Petition of the San Francisco Outdoor Art League, for legislation granting 5 per cent of the sale of California public lands to that State—to the Committee on Education.

By Mr. GAINES of West Virginia: Petition of John P. Dent

and 13 other druggists of Charleston, W. Va., for bill H. R. 8102 (the Mann bill)—to the Committee on Patents.

By Mr. GRANGER: Petition of the Kent Improvement Association, of East Greenwich, R. I., for forest reservations in the White and the Appalachian mountains—to the Committee on Agriculture.

By Mr. LEVER: Paper to accompany bill for relief of Elizabeth Mooney—to the Committee on Pensions.

Also, paper to accompany bill for relief of Elizabeth Mooney—to the Committee on Pensions.

By Mr. LINDSAY: Petition of the Outdoor Art League and the California Club, favoring legislation giving 5 per cent of the public-land sales of California to that State—to the Committee on the Public Lands.

By Mr. MACON: Paper to accompany bill for relief of heirs of James Downs and Christine Downs, of Monroe County, Ark.—to the Committee on War Claims.

By Mr. REYNOLDS: Petition of 204 citizens of Altoona, Pa., against sale of liquor in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Cambria Grange, No. 1116, of Pennsylvania, indorsing the views of President Roosevelt on the railway-rate question—to the Committee on Interstate and Foreign Commerce.

Also, petition of the publishers of Johnstown, Pa., for an amendment to the post-office laws making all paid subscriptions legitimate—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. Wenderoth and 13 others, against an amendment to the Lacey bill (Government reserves to be game reservations)—to the Committee on Agriculture.

Also, petition of 204 citizens of Altoona, Pa., for Sunday closing of the Jamestown Exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. SAMUEL: Petition of Greenbriar (Pa.) Grange, No. 1148, Patrons of Husbandry, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of Greenbriar (Pa.) Grange, No. 1148, against the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. TAYLOR of Ohio: Petition of James N. Barnhill, against the tariff on linotype machines—to the Committee on Ways and Means.

#### SENATE.

FRIDAY, May 25, 1906.

Prayer by Right Rev. HENRY Y. SATTERLEE, Bishop of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

#### GAZETTEER OF THE PHILIPPINE ISLANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, inclosing a copy of a proposed concurrent resolution providing for the printing and binding of 5,000 copies of the Gazetteer of the Philippine Islands revised to January 1, 1906, with suitable maps and charts, together with a memorandum giving the successive steps leading to the former edition, as well as the work on this revision and its intended scope; which, with the accompanying papers, was referred to the Committee on Printing, and ordered to be printed.

#### FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Trustees of the Methodist Episcopal Church South, of Culpeper, Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Trustees of the Presbyterian Church of Fredericksburg, Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 4129. An act to regulate enlistments and punishments in the United States Revenue-Cutter Service;

S. 5131. An act incorporating the Archaeological Institute of America;  
 S. 5513. An act to provide for the disposition of certain property in the Territory of Hawaii;  
 S. 5533. An act to appoint an additional judge for the southern district of New York;  
 S. 6022. An act to amend section 6 of an act entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900;  
 S. 6038. An act authorizing the construction of a dam across the Pend d'Oreille River, in the State of Washington, by the Pend d'Oreille Development Company, for the development of water power, electrical power, and for other purposes;  
 S. 6129. An act to amend section 4472 of the Revised Statutes of the United States relating to carrying of dangerous articles on passenger steamers;  
 H. R. 549. An act granting an increase of pension to Charles W. Storr, jr.;  
 H. R. 718. An act granting an increase of pension to Hamilton D. Brown;  
 H. R. 735. An act granting an increase of pension to Frank L. Fornshell;  
 H. R. 1133. An act granting a pension to Mary Lockard;  
 H. R. 1182. An act granting an increase of pension to Ezekiel Bridwell;  
 H. R. 1192. An act granting an increase of pension to George B. Hess;  
 H. R. 1413. An act granting an increase of pension to John Crawford;  
 H. R. 1482. An act granting an increase of pension to Philip Cook;  
 H. R. 1547. An act granting an increase of pension to William A. Olmsted;  
 H. R. 1557. An act granting an increase of pension to Frank J. Oatley;  
 H. R. 1719. An act granting an increase of pension to William N. Whitlock;  
 H. R. 1768. An act granting an increase of pension to George W. Childers;  
 H. R. 1946. An act granting an increase of pension to James A. Sproul;  
 H. R. 2155. An act granting an increase of pension to William H. Smith;  
 H. R. 2168. An act granting an increase of pension to William Bridges;  
 H. R. 2226. An act granting an increase of pension to George F. Long;  
 H. R. 2234. An act granting an increase of pension to Jacob W. Gersteneker;  
 H. R. 2791. An act granting an increase of pension to Mary E. Adams;  
 H. R. 2816. An act granting an increase of pension to James C. Town;  
 H. R. 3227. An act granting an increase of pension to Isaac Tuttle;  
 H. R. 3345. An act granting an increase of pension to Christina White;  
 H. R. 3686. An act granting an increase of pension to Henry R. Cowan;  
 H. R. 3694. An act granting an increase of pension to Joseph D. Emory;  
 H. R. 4222. An act granting a pension to Otto Boesewetter;  
 H. R. 4240. An act granting an increase of pension to James F. Chipman;  
 H. R. 4244. An act granting an increase of pension to John Spaulding;  
 H. R. 4363. An act granting an increase of pension to Thomas D. Campbell;  
 H. R. 4388. An act granting a pension to Laura Hilgeman;  
 H. R. 4406. An act granting a pension to Albert M. Ryan;  
 H. R. 4594. An act granting an increase of pension to Joshua S. Ditto;  
 H. R. 4595. An act granting an increase of pension to Thomas H. Tallant;  
 H. R. 4625. An act granting an increase of pension to Anderson J. Smith;  
 H. R. 4743. An act granting an increase of pension to Hiram N. Goodell;  
 H. R. 4745. An act granting an increase of pension to Henry D. Stiehl;  
 H. R. 4867. An act granting a pension to Louisa Gregg;  
 H. R. 4965. An act granting an increase of pension to Samuel P. Holland;

H. R. 5048. An act granting an increase of pension to William A. Failer;  
 H. R. 5217. An act for the relief of Agnes W. Hills and Sarah J. Hills;  
 H. R. 5222. An act granting an increase of pension to Lewis R. Stegman;  
 H. R. 5571. An act granting an increase of pension to William Cary;  
 H. R. 5732. An act granting an increase of pension to Elias C. Kitchin;  
 H. R. 5804. An act granting an increase of pension to Joseph A. Noyes;  
 H. R. 5842. An act to correct the military record of Charles F. Deisch;  
 H. R. 6061. An act granting an increase of pension to William H. Chapman;  
 H. R. 6111. An act granting an increase of pension to Edwin R. Steenrod;  
 H. R. 6112. An act granting an increase of pension to Edmund Fish;  
 H. R. 6114. An act granting an increase of pension to Andrew J. Douglass;  
 H. R. 6490. An act granting an increase of pension to William H. Gilbert;  
 H. R. 6498. An act granting an increase of pension to Isaac C. France;  
 H. R. 6546. An act granting an increase of pension to Samuel A. White;  
 H. R. 6578. An act granting an increase of pension to James B. McWhorter;  
 H. R. 6776. An act granting an increase of pension to Stephen C. Smith;  
 H. R. 6865. An act granting an increase of pension to Charles F. Voss;  
 H. R. 6912. An act granting an increase of pension to Charles H. Weaver;  
 H. R. 7419. An act granting an increase of pension to James Scott;  
 H. R. 7495. An act granting a pension to Susie M. Gerth;  
 H. R. 7498. An act granting an increase of pension to Mary Hanson;  
 H. R. 7500. An act granting an increase of pension to John McCandless;  
 H. R. 7584. An act granting an increase of pension to James H. Kemp;  
 H. R. 7876. An act granting an increase of pension to Julius Beier;  
 H. R. 8091. An act granting an increase of pension to John Coughlin;  
 H. R. 8138. An act granting an increase of pension to Similde E. Forbes;  
 H. R. 8144. An act granting a pension to Ada J. Lasswell;  
 H. R. 8479. An act granting an increase of pension to Nellie A. Batchelder;  
 H. R. 8547. An act granting an increase of pension to John W. Madison;  
 H. R. 8650. An act granting an increase of pension to Sewell F. Graves;  
 H. R. 8662. An act granting an increase of pension to Edward F. Paramore;  
 H. R. 8716. An act granting an increase of pension to John L. Coffey;  
 H. R. 8737. An act granting an increase of pension to Horace A. Manley;  
 H. R. 8771. An act granting an increase of pension to Florence Sullivan;  
 H. R. 8833. An act granting a pension to Edna M. Johnson;  
 H. R. 8954. An act granting a pension to George Cunningham;  
 H. R. 9034. An act granting an increase of pension to Mary F. McCauley;  
 H. R. 9135. An act granting a pension to August Crome;  
 H. R. 9138. An act granting an increase of pension to Aaron L. Rockwood;  
 H. R. 9276. An act granting a pension to Mary E. O'Hare;  
 H. R. 9375. An act granting an increase of pension to Charles H. McKenney;  
 H. R. 9529. An act granting an increase of pension to William Gibson;  
 H. R. 9812. An act granting an increase of pension to Joseph B. Newberry;  
 H. R. 9923. An act granting an increase of pension to Joseph J. Mishler;  
 H. R. 10008. An act granting an increase of pension to James W. Dorman;  
 H. R. 10029. An act granting an increase of pension to Abram Higbie;



- H. R. 10177. An act granting a pension to Elizabeth Kohler;  
H. R. 10246. An act granting an increase of pension to John Harrison;  
H. R. 10257. An act granting an increase of pension to Samuel Deems;  
H. R. 10318. An act granting an increase of pension to James F. Hollett;  
H. R. 10319. An act granting an increase of pension to Harvey Deal;  
H. R. 10524. An act granting an increase of pension to Ebenezer W. Akerley;  
H. R. 10525. An act granting an increase of pension to Artemas D. Many;  
H. R. 10561. An act granting an increase of pension to Joseph N. Piersell;  
H. R. 10766. An act granting a pension to Rachel L. Bartlett;  
H. R. 10774. An act granting an increase of pension to James D. Leach;  
H. R. 10922. An act granting an increase of pension to John McDonald;  
H. R. 10993. An act granting an increase of pension to Samuel Jones;  
H. R. 11062. An act granting an increase of pension to Samuel W. Harlan;  
H. R. 11151. An act granting an increase of pension to John Sirmyer;  
H. R. 11303. An act granting a pension to Joseph Matthews;  
H. R. 11365. An act granting an increase of pension to Robert D. Williamson;  
H. R. 11424. An act granting an increase of pension to Stephen W. Neal;  
H. R. 11466. An act granting an increase of pension to Benjamin F. Heald;  
H. R. 11510. An act granting an increase of pension to Joseph S. Larrance;  
H. R. 11552. An act granting an increase of pension to Abraham G. Leiser;  
H. R. 11686. An act granting a pension to William C. Bergbahn;  
H. R. 11822. An act granting an increase of pension to Lawyer Sugs;  
H. R. 11917. An act granting an increase of pension to Davis Preston;  
H. R. 11989. An act granting an increase of pension to Francis M. Hinds;  
H. R. 12010. An act granting an increase of pension to Lewis Hoffman;  
H. R. 12088. An act granting an increase of pension to Louisa Spielman;  
H. R. 12160. An act granting an increase of pension to Josephine D. McNary;  
H. R. 12180. An act granting an increase of pension to Charles H. Dunning;  
H. R. 12194. An act granting a pension to Minnie Irwin;  
H. R. 12238. An act granting an increase of pension to Helen S. Brown;  
H. R. 12279. An act granting an increase of pension to James S. Topping;  
H. R. 12304. An act granting an increase of pension to John McDonough;  
H. R. 12331. An act granting an increase of pension to Daniel J. Miller;  
H. R. 12372. An act granting an increase of pension to J. Morgan Seabury;  
H. R. 12480. An act granting an increase of pension to James McKenna;  
H. R. 12561. An act granting a pension to Francis M. McClendon;  
H. R. 12588. An act granting an increase of pension to Joseph B. Dickinson;  
H. R. 12653. An act granting a pension to Sarah Adams;  
H. R. 12664. An act granting an increase of pension to William E. Wallace;  
H. R. 12727. An act granting an increase of pension to Benjamin D. Bogia;  
H. R. 12733. An act granting an increase of pension to Charles W. Kelsey;  
H. R. 12734. An act granting an increase of pension to Abram Van Riper;  
H. R. 12762. An act granting an increase of pension to Jesse H. Brandt;  
H. R. 12792. An act granting an increase of pension to William Wiley;  
H. R. 12807. An act granting a pension to Nancy Ann Gee;  
H. R. 12810. An act granting an increase of pension to Edward Ross;  
H. R. 12813. An act granting an increase of pension to Reese Moore;  
H. R. 12842. An act granting an increase of pension to William J. Drake;  
H. R. 12874. An act granting a pension to Sarah Ellen Dickens;  
H. R. 13024. An act granting a pension to William J. Beach;  
H. R. 13026. An act granting an increase of pension to J. Bailey Orem;  
H. R. 13030. An act granting an increase of pension to John C. Heney;  
H. R. 13047. An act granting an increase of pension to Walter Saunders;  
H. R. 13060. An act granting an increase of pension to Henry De Graff;  
H. R. 13077. An act granting an increase of pension to James S. Prose;  
H. R. 13111. An act granting an increase of pension to Lewis S. Perkins;  
H. R. 13140. An act granting an increase of pension to Jesse W. Howe;  
H. R. 13227. An act granting an increase of pension to Robert Blaneett;  
H. R. 13228. An act granting an increase of pension to Augustus Hathaway;  
H. R. 13229. An act granting an increase of pension to Sarah E. Holland;  
H. R. 13232. An act granting an increase of pension to Penina Owens;  
H. R. 13233. An act granting an increase of pension to Jesse A. B. Thorne;  
H. R. 13236. An act granting an increase of pension to William Haines;  
H. R. 13326. An act granting an increase of pension to Augustus McDaniel;  
H. R. 13337. An act granting an increase of pension to Joseph W. Harsh;  
H. R. 13421. An act granting a pension to John W. Wabrass;  
H. R. 13465. An act granting an increase of pension to Eleanor Gregory;  
H. R. 13469. An act granting an increase of pension to Michael Davy, alias James Byron;  
H. R. 13493. An act granting an increase of pension to Elizabeth J. Meek;  
H. R. 13506. An act granting an increase of pension to Julia A. Bachus;  
H. R. 13507. An act granting an increase of pension to Thomas Crowley;  
H. R. 13535. An act granting an increase of pension to William Kelly;  
H. R. 13575. An act granting a pension to Frances Bell;  
H. R. 13577. An act granting an increase of pension to Ellen M. Van Brunt;  
H. R. 13622. An act granting a pension to Mary Cochran;  
H. R. 13679. An act granting an increase of pension to Joseph Nobinger;  
H. R. 13689. An act granting an increase of pension to William S. Newman;  
H. R. 13704. An act granting a pension to Ann Dewier;  
H. R. 13713. An act granting a pension to Allison W. Pollard;  
H. R. 13809. An act granting an increase of pension to James P. Tucker;  
H. R. 13861. An act granting an increase of pension to Wilhelm Dickhoff;  
H. R. 13877. An act granting an increase of pension to Juan Canasco;  
H. R. 13882. An act granting an increase of pension to Levi L. Price;  
H. R. 13923. An act granting an increase of pension to Martin Dayhuff;  
H. R. 13979. An act granting an increase of pension to Emeline A. Stewart;  
H. R. 13991. An act granting an increase of pension to Wiley H. Dixon;  
H. R. 14072. An act granting an increase of pension to George W. Reeder;  
H. R. 14106. An act granting an increase of pension to John S. Melton;  
H. R. 14118. An act granting an increase of pension to Edward Delaney;  
H. R. 14142. An act granting an increase of pension to James A. Scrutfield;  
H. R. 14169. An act granting an increase of pension to Bettie Stern;  
H. R. 14198. An act granting an increase of pension to William Stewart;

H. R. 14200. An act granting an increase of pension to John K. Dalzell;  
 H. R. 14237. An act granting an increase of pension to Isaac Kindle;  
 H. R. 14328. An act granting an increase of pension to Charles M. Mears;  
 H. R. 14391. An act granting an increase of pension to Franklin Cooley;  
 H. R. 14410. An act to amend an act approved August 3, 1894, entitled "An act concerning leases in the Yellowstone National Park:"  
 H. R. 14470. An act granting an increase of pension to William A. Braselton;  
 H. R. 14490. An act granting an increase of pension to Martha A. Kenney;  
 H. R. 14493. An act granting an increase of pension to Henry Gentles, alias Henry Hopner;  
 H. R. 14504. An act granting an increase of pension to Aaron P. Seeley;  
 H. R. 14539. An act granting an increase of pension to Louis C. Robinson;  
 H. R. 14545. An act granting an increase of pension to Eliza L. Nixon;  
 H. R. 14600. An act granting an increase of pension to Daniel M. Philbrook;  
 H. R. 14731. An act granting an increase of pension to Ezra H. Wiggins;  
 H. R. 14736. An act granting an increase of pension to Isaac C. Smallwood;  
 H. R. 14745. An act granting an increase of pension to Frederick B. Walton;  
 H. R. 14801. An act granting an increase of pension to Thomas Armstrong;  
 H. R. 14827. An act granting an increase of pension to William K. Stewart;  
 H. R. 14839. An act granting an increase of pension to James McManis;  
 H. R. 14854. An act granting an increase of pension to Harriet Howard;  
 H. R. 14861. An act granting an increase of pension to Dennis W. Ray;  
 H. R. 14955. An act granting an increase of pension to Eliza Moore;  
 H. R. 14980. An act granting an increase of pension to Matthew H. Bellamy;  
 H. R. 14982. An act granting an increase of pension to Isaac N. Long;  
 H. R. 14994. An act granting an increase of pension to Daniel C. Joslyn;  
 H. R. 14996. An act granting an increase of pension to John F. Smith;  
 H. R. 15002. An act granting an increase of pension to George E. Wood;  
 H. R. 15003. An act granting an increase of pension to James Gray;  
 H. R. 15032. An act granting a pension to Milton Diehl;  
 H. R. 15058. An act granting an increase of pension to Enoch Rector;  
 H. R. 15064. An act granting an increase of pension to Jacob Wagenknecht;  
 H. R. 15102. An act granting an increase of pension to William H. Ryckman;  
 H. R. 15147. An act granting an increase of pension to Joseph B. Teas;  
 H. R. 15149. An act granting an increase of pension to William W. Ferguson;  
 H. R. 15152. An act granting an increase of pension to Mary T. Corns;  
 H. R. 15178. An act granting an increase of pension to Matilda Morrison;  
 H. R. 15180. An act granting an increase of pension to Amanda Pitman;  
 H. R. 15201. An act granting an increase of pension to Edward O'Shea;  
 H. R. 15206. An act granting an increase of pension to Peter G. Thompson;  
 H. R. 15229. An act granting an increase of pension to Edwin Howes;  
 H. R. 15233. An act granting an increase of pension to William G. Westover;  
 H. R. 15243. An act granting a pension to Artemesia T. Husbrook;  
 H. R. 15272. An act granting an increase of pension to Patrick Mooney;  
 H. R. 15274. An act granting an increase of pension to Edward W. Bell;

H. R. 15275. An act granting an increase of pension to Jehu Martin;  
 H. R. 15305. An act granting an increase of pension to Ezra H. Brown;  
 H. R. 15316. An act granting an increase of pension to James McKelvy;  
 H. R. 15355. An act granting an increase of pension to George M. Dalley;  
 H. R. 15418. An act granting an increase of pension to Samuel P. Sargent;  
 H. R. 15450. An act granting an increase of pension to Virginia J. D. Holmes;  
 H. R. 15459. An act granting an increase of pension to Drucilla A. Massey;  
 H. R. 15486. An act granting a pension to William H. M. Carpenter;  
 H. R. 15490. An act granting a pension to Mary E. Darcy;  
 H. R. 15495. An act granting an increase of pension to Job B. Sanderson;  
 H. R. 15499. An act granting an increase of pension to Elias Andrew;  
 H. R. 15500. An act granting an increase of pension to John W. Thomas;  
 H. R. 15501. An act granting an increase of pension to Elizabeth Parks;  
 H. R. 15523. An act granting a pension to Jose N. Lucero, alias Nasario Lucero;  
 H. R. 15539. An act granting an increase of pension to John McConnell;  
 H. R. 15565. An act granting an increase of pension to Josias R. King;  
 H. R. 15566. An act granting an increase of pension to Andrew F. Kreger;  
 H. R. 15588. An act granting a pension to Hester Hyatt;  
 H. R. 15592. An act granting an increase of pension to Levi H. Townsend;  
 H. R. 15614. An act granting an increase of pension to Clark Cornett;  
 H. R. 15632. An act granting an increase of pension to Joseph B. Sanders;  
 H. R. 15634. An act granting an increase of pension to Samuel M. Reese;  
 H. R. 15641. An act granting an increase of pension to Eli Woodbury;  
 H. R. 15675. An act granting an increase of pension to Harley Mowrey;  
 H. R. 15682. An act granting an increase of pension to Hannah M. Hayes;  
 H. R. 15695. An act granting a pension to John T. Wagoner;  
 H. R. 15748. An act granting an increase of pension to Jacob R. Deckard;  
 H. R. 15761. An act granting an increase of pension to Lafayette North;  
 H. R. 15762. An act granting an increase of pension to Harmon Freeman, alias Harmon Storme;  
 H. R. 15768. An act granting an increase of pension to Mary J. Halbert;  
 H. R. 15783. An act granting an increase of pension to George W. Sutton;  
 H. R. 15807. An act granting a pension to Catherine Arnold;  
 H. R. 15819. An act granting an increase of pension to William T. Burgess;  
 H. R. 15854. An act granting an increase of pension to Phillip Schloesser;  
 H. R. 15855. An act granting a pension to Will E. Kayser;  
 H. R. 15867. An act granting an increase of pension to Annie M. Stevens;  
 H. R. 15886. An act granting an increase of pension to John Misner;  
 H. R. 15925. An act granting an increase of pension to Abraham Walker;  
 H. R. 15932. An act granting an increase of pension to Hartley B. Cox;  
 H. R. 15943. An act granting an increase of pension to William D. Jones;  
 H. R. 15972. An act granting an increase of pension to Thomas J. Smith;  
 H. R. 15977. An act granting an increase of pension to Mary E. Ramsey;  
 H. R. 16044. An act granting an increase of pension to John C. Lindsay;  
 H. R. 16098. An act granting an increase of pension to Frederick Fenz;  
 H. R. 16165. An act granting an increase of pension to Morris Smith;



H. R. 16173. An act granting a pension to Sarah Smith;  
 H. R. 16174. An act granting an increase of pension to John Williamson;  
 H. R. 16186. An act granting an increase of pension to William T. A. H. Boles;  
 H. R. 16193. An act granting an increase of pension to Daniel Shrader;  
 H. R. 16220. An act granting an increase of pension to George C. Powell;  
 H. R. 16224. An act granting an increase of pension to Francis M. Crawford;  
 H. R. 16253. An act granting an increase of pension to Margaret A. Hope;  
 H. R. 16255. An act granting an increase of pension to James S. Brand;  
 H. R. 16267. An act granting a pension to Catherine Piper;  
 H. R. 16171. An act granting an increase of pension to Edwin Elliott;  
 H. R. 16274. An act granting an increase of pension to David Lindsey;  
 H. R. 16279. An act granting an increase of pension to Edward E. Elliott;  
 H. R. 16284. An act granting an increase of pension to George Rogers;  
 H. R. 16285. An act granting an increase of pension to Henry Johnson;  
 H. R. 16295. An act granting an increase of pension to Laurence Foley;  
 H. R. 16319. An act granting an increase of pension to Orrin D. Nichols;  
 H. R. 16320. An act granting a pension to Esther M. Noah;  
 H. R. 16335. An act granting an increase of pension to John A. Bryan;  
 H. R. 16372. An act granting an increase of pension to Andrew Dorn;  
 H. R. 16390. An act granting a pension to Katherine Partidge;  
 H. R. 16398. An act granting an increase of pension to David Ross;  
 H. R. 16400. An act granting an increase of pension to James McCracken;  
 H. R. 16408. An act granting an increase of pension to William Hendricks;  
 H. R. 16423. An act granting an increase of pension to Andrew J. Roe;  
 H. R. 16427. An act granting an increase of pension to William W. Carter;  
 H. R. 16429. An act granting an increase of pension to Caroline M. Pierce;  
 H. R. 16466. An act granting an increase of pension to Asenith Woodall;  
 H. R. 16471. An act granting an increase of pension to North Ann Dorman;  
 H. R. 16486. An act granting an increase of pension to Thomas Bosworth;  
 H. R. 16491. An act granting an increase of pension to Lewis Denison;  
 H. R. 16516. An act granting an increase of pension to James B. Fairchild;  
 H. R. 16522. An act granting an increase of pension to Charles Meyer;  
 H. R. 16526. An act granting an increase of pension to James R. Hilliard;  
 H. R. 16527. An act granting an increase of pension to William Martin;  
 H. R. 16528. An act granting an increase of pension to Catharine Price;  
 H. R. 16529. An act granting an increase of pension to James M. Sikes;  
 H. R. 16530. An act granting an increase of pension to William H. Gautier;  
 H. R. 16535. An act granting an increase of pension to Jonathan I. Wright;  
 H. R. 16536. An act granting an increase of pension to Cyrus S. Case;  
 H. R. 16540. An act granting an increase of pension to Sarah M. Evans;  
 H. R. 16541. An act granting an increase of pension to Ambrose Y. Teague;  
 H. R. 16547. An act granting an increase of pension to John Rutter;  
 H. R. 16566. An act granting an increase of pension to Whitman V. White;  
 H. R. 16576. An act granting an increase of pension to Silas P. Conway;

H. R. 16577. An act granting an increase of pension to Joseph M. Pound;  
 H. R. 16586. An act granting an increase of pension to William Mattison;  
 H. R. 16602. An act granting an increase of pension to Christopher C. Reeves;  
 H. R. 16603. An act granting an increase of pension to Pleasant W. Cook;  
 H. R. 16606. An act granting an increase of pension to James A. Duff;  
 H. R. 16622. An act granting an increase of pension to James Webb;  
 H. R. 16627. An act granting a pension to Delilah Moore;  
 H. R. 16629. An act granting an increase of pension to Louis Stoeckig;  
 H. R. 16630. An act granting an increase of pension to Phillip Dumont;  
 H. R. 16632. An act granting an increase of pension to Louis Lepine;  
 H. R. 16648. An act granting an increase of pension to Henry B. Teeter;  
 H. R. 16681. An act granting a pension to Gustave Bergen;  
 H. R. 16699. An act granting an increase of pension to Lewis P. Chandler;  
 H. R. 16704. An act granting a pension to Lucy C. Strout;  
 H. R. 16717. An act granting an increase of pension to Sterling Hughes;  
 H. R. 16724. An act granting an increase of pension to James S. Burgess;  
 H. R. 16749. An act granting an increase of pension to Henry A. Jones;  
 H. R. 16751. An act granting an increase of pension to Samuel Hough;  
 H. R. 16765. An act granting an increase of pension to Angus Campbell;  
 H. R. 16783. An act granting an increase of pension to David W. Kirkpatrick;  
 H. R. 16806. An act granting an increase of pension to Henry Brenizer;  
 H. R. 16810. An act granting an increase of pension to Henry C. Jackson;  
 H. R. 16824. An act granting an increase of pension to James Waskom;  
 H. R. 16828. An act granting an increase of pension to Georgia A. Hughs;  
 H. R. 16881. An act granting an increase of pension to Joel R. Youngkin;  
 H. R. 16884. An act granting an increase of pension to William D. Woodcock;  
 H. R. 16887. An act granting an increase of pension to Darwin Johnson;  
 H. R. 16902. An act granting an increase of pension to Dennis Winn;  
 H. R. 16931. An act granting a pension to Cornelia Mitchell;  
 H. R. 16936. An act granting an increase of pension to Sherwood F. Culberson;  
 H. R. 16941. An act granting an increase of pension to Thomas H. Hogan;  
 H. R. 16991. An act granting an increase of pension to Stephen Vaught;  
 H. R. 16992. An act granting an increase of pension to John R. Baldwin;  
 H. R. 16993. An act granting an increase of pension to Melroe Tarter;  
 H. R. 16994. An act granting an increase of pension to Harriet Payne;  
 H. R. 16996. An act granting an increase of pension to Joseph Delisle;  
 H. R. 17003. An act granting an increase of pension to Eleazer C. Harmon;  
 H. R. 17004. An act granting an increase of pension to Willard F. Sessions;  
 H. R. 17006. An act granting an increase of pension to Fountain M. Fain;  
 H. R. 17012. An act granting an increase of pension to Mary Thackara;  
 H. R. 17014. An act granting an increase of pension to Jackson D. Thornton;  
 H. R. 17035. An act granting an increase of pension to Samuel Smith;  
 H. R. 17036. An act granting an increase of pension to Josephine L. Jordan;  
 H. R. 17055. An act granting an increase of pension to George Fankell;

H. R. 17067. An act granting an increase of pension to Simeon Pierce;  
 H. R. 17069. An act granting an increase of pension to William L. Wilcher;  
 H. R. 17070. An act granting an increase of pension to Thomas Blakney;  
 H. R. 17085. An act granting an increase of pension to George W. Ollis;  
 H. R. 17108. An act granting a pension to Edith F. Morrison;  
 H. R. 17118. An act granting an increase of pension to John Burke;  
 H. R. 17120. An act granting a pension to Rhoda Munsil;  
 H. R. 17143. An act granting an increase of pension to William Taylor;  
 H. R. 17144. An act granting an increase of pension to Jesse Wiley;  
 H. R. 17162. An act granting an increase of pension to Scott Ruddick;  
 H. R. 17165. An act granting an increase of pension to Sophie Pohlers;  
 H. R. 17173. An act granting an increase of pension to Thomas J. Davis;  
 H. R. 17174. An act granting an increase of pension to Nathaniel C. Sawyer;  
 H. R. 17175. An act granting an increase of pension to Andrew E. Kinney;  
 H. R. 17202. An act granting an increase of pension to Benjamin H. Cool;  
 H. R. 17205. An act granting a pension to Alice Garvey;  
 H. R. 17209. An act granting an increase of pension to Alva D. Smith;  
 H. R. 17229. An act granting an increase of pension to Derias Thomas Jean;  
 H. R. 17231. An act granting an increase of pension to Rachel Allen;  
 H. R. 17238. An act granting an increase of pension to John G. Vassar;  
 H. R. 17244. An act granting an increase of pension to James Crandol;  
 H. R. 17268. An act granting an increase of pension to Charles L. Westfall;  
 H. R. 17278. An act granting an increase of pension to Mary E. Patterson;  
 H. R. 17303. An act granting an increase of pension to William H. Hester;  
 H. R. 17308. An act granting a pension to Margaret E. Eveland;  
 H. R. 17310. An act granting an increase of pension to Francis A. Hite;  
 H. R. 17333. An act granting an increase of pension to Esek W. Hoff;  
 H. R. 17342. An act granting an increase of pension to Wesley G. Cox;  
 H. R. 17344. An act granting an increase of pension to John L. Fuhrman;  
 H. R. 17361. An act granting an increase of pension to Margaret McGiffin;  
 H. R. 17372. An act granting an increase of pension to Arethusia M. Pettit;  
 H. R. 17373. An act granting an increase of pension to William T. Stott;  
 H. R. 17384. An act granting an increase of pension to William Warnes;  
 H. R. 17385. An act granting an increase of pension to James S. Ruby;  
 H. R. 17387. An act granting an increase of pension to David F. Eakin;  
 H. R. 17395. An act granting an increase of pension to Thaddeus C. S. Brown;  
 H. R. 17402. An act granting an increase of pension to Isaiah H. Hazlitt;  
 H. R. 17406. An act granting an increase of pension to William B. McAllister;  
 H. R. 17422. An act granting an increase of pension to Orlando Hand;  
 H. R. 17430. An act granting an increase of pension to John A. Mather;  
 H. R. 17480. An act granting an increase of pension to Charles P. Lord;  
 H. R. 17514. An act granting an increase of pension to Virginia C. Moore;  
 H. R. 17515. An act granting an increase of pension to John J. Elliott;  
 H. R. 17526. An act granting an increase of pension to Richard Dunlap;

H. R. 17548. An act granting a pension to David J. Bentley;  
 H. R. 17557. An act granting an increase of pension to John W. Marshall;  
 H. R. 17558. An act granting a pension to Lizzie H. Prout;  
 H. R. 17584. An act granting an increase of pension to James White;  
 H. R. 17586. An act granting a pension to Harriet A. Morton;  
 H. R. 17591. An act granting an increase of pension to William Hall;  
 H. R. 17592. An act granting an increase of pension to Margaret Haynes;  
 H. R. 17597. An act granting an increase of pension to Charles Lee;  
 H. R. 17613. An act granting an increase of pension to Susan E. Nash;  
 H. R. 17619. An act granting an increase of pension to Davia D. Spain;  
 H. R. 17635. An act granting an increase of pension to George Willy;  
 H. R. 17638. An act granting an increase of pension to York A. Woodward;  
 H. R. 17644. An act granting an increase of pension to Henry C. Eastler;  
 H. R. 17650. An act granting an increase of pension to Hugh F. Ames;  
 H. R. 17654. An act granting an increase of pension to Hannah J. K. Thomas;  
 H. R. 17671. An act granting a pension to Sarah A. Thompson;  
 H. R. 17683. An act granting an increase of pension to John Hoch;  
 H. R. 17684. An act granting an increase of pension to Joseph M. Hays;  
 H. R. 17690. An act granting a pension to Ellen E. Leary;  
 H. R. 17700. An act granting an increase of pension to Andrew T. Mitchell;  
 H. R. 17711. An act granting an increase of pension to John Dietz;  
 H. R. 17736. An act granting an increase of pension to Josephine B. Phelon;  
 H. R. 17747. An act granting an increase of pension to Abraham I. Canary;  
 H. R. 17761. An act granting an increase of pension to Thomas J. Mackey;  
 H. R. 17771. An act granting an increase of pension to Deloss Williams;  
 H. R. 17781. An act granting an increase of pension to Frank M. Parker;  
 H. R. 17782. An act granting an increase of pension to Aaron K. Clark;  
 H. R. 17788. An act granting a pension to Charles E. Benson;  
 H. R. 17796. An act granting an increase of pension to Thomas C. Alexander;  
 H. R. 17797. An act granting an increase of pension to Wilbur F. Lane;  
 H. R. 17806. An act granting an increase of pension to Enoch Boyle;  
 H. R. 17826. An act granting a pension to Wincy A. Lindsey;  
 H. R. 17830. An act granting an increase of pension to William R. Snell;  
 H. R. 17843. An act granting an increase of pension to Samuel Watkins;  
 H. R. 17854. An act granting an increase of pension to John Eubank;  
 H. R. 17855. An act granting an increase of pension to Harriett E. Miller;  
 H. R. 17890. An act granting an increase of pension to James T. Bandy;  
 H. R. 17892. An act granting an increase of pension to Abraham K. Smith;  
 H. R. 17913. An act granting an increase of pension to Philo Green;  
 H. R. 17921. An act granting an increase of pension to James Reppeto;  
 H. R. 17933. An act granting an increase of pension to Harriet E. Vandine;  
 H. R. 17939. An act granting an increase of pension to Robert A. Seaver;  
 H. R. 17950. An act granting an increase of pension to James W. Hager;  
 H. R. 17951. An act granting an increase of pension to Elizabeth A. Hodges;  
 H. R. 17971. An act granting an increase of pension to James G. Wall;  
 H. R. 17989. An act granting an increase of pension to Elizabeth Hodges;



H. R. 17996. An act granting an increase of pension to Alonzo Wells;  
 H. R. 18005. An act granting a pension to Emily Compton;  
 H. R. 18006. An act granting an increase of pension to Martha J. Bass;  
 H. R. 18019. An act granting an increase of pension to Milton A. Griffith;  
 H. R. 18032. An act granting an increase of pension to Mary H. Scott;  
 H. R. 18054. An act granting an increase of pension to Stewart J. Donnelly;  
 H. R. 18056. An act granting an increase of pension to Moses Davis;  
 H. R. 18067. An act granting an increase of pension to Joseph Guilott;  
 H. R. 18075. An act granting an increase of pension to Anna E. Kingston;  
 H. R. 18094. An act granting an increase of pension to William G. Melick;  
 H. R. 18143. An act granting an increase of pension to James F. Brown;  
 H. R. 18147. An act granting an increase of pension to Perry F. Belden;  
 H. R. 18149. An act granting an increase of pension to S. Horace Perry;  
 H. R. 18157. An act granting a pension to James J. Winkler;  
 H. R. 18158. An act granting a pension to Isaac Cope;  
 H. R. 18169. An act granting a pension to Margaret Stevens;  
 H. R. 18175. An act granting an increase of pension to Jeremiah Van Riper;  
 H. R. 18188. An act granting an increase of pension to David B. Guthrie;  
 H. R. 18237. An act granting an increase of pension to Rachel Egeness;  
 H. R. 18325. An act granting an increase of pension to John W. Schofield;  
 H. R. 18328. An act to regulate the practice in certain civil and criminal cases in the western district of Arkansas;  
 H. R. 18393. An act granting an increase of pension to David F. Crouch;  
 H. R. 18406. An act granting an increase of pension to Andrew Jackson;  
 H. R. 18465. An act granting an increase of pension to Abby B. Cloud;  
 H. R. 18506. An act granting an increase of pension to Mahala Jones; and  
 H. R. 19572. An act making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year 1906, and for other purposes.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Columbia Typographical Union, No. 101, American Federation of Labor, of Washington, D. C., praying for the enactment of legislation to require compliance with the national eight-hour law by all persons furnishing printing and other supplies to the District, all other conditions being equal; which was referred to the Committee on Education and Labor.

Mr. KEAN presented sundry memorials of citizens of New Jersey, remonstrating against the transfer of the education and care of the Indians and Eskimos of Alaska from the United States Bureau of Education to the governor of that Territory; which were referred to the Committee on Territories.

He also presented petitions of sundry pupils of the high schools of Trenton, Bloomfield, Mount Holly, and Englewood, all in the State of New Jersey, praying for the ratification of international arbitration treaties; which were referred to the Committee on Foreign Relations.

Mr. WARNER presented sundry papers to accompany the bill (S. 3451) for the relief of Francis O'Bannon; which were referred to the Committee on Claims.

Mr. HEMENWAY presented a petition of the congregation of the First Presbyterian Church of New Albany, Ind., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented the petition of Robert E. Maranville, of Pendleton, Ind., and the petition of J. E. Naden, of Rushville, Ind., praying for the adoption of an amendment to the postal laws relative to newspaper subscriptions; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURKETT presented a memorial of Local Council No. 134, United Commercial Travelers of America, of Grand Island, Nebr., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the faculty of the University of Nebraska, Lincoln, Nebr., praying for the enactment of legislation to create a commission to study Chinese educational institutions; which was referred to the Committee on Foreign Relations.

Mr. CLAPP presented a petition of the Minnesota State Historical Society, praying for the enactment of legislation providing for the repair of the frigate *Constitution* and its commission as a training ship; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Minneapolis, St. Paul, Partridge, and White Bear Lake, all in the State of Minnesota, praying for the enactment of legislation to remove the duty on denaturized alcohol; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the East Washington Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the establishment of a public park along Pennsylvania avenue extended, in the eastern portion of that city; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Washington, D. C., and the petition of Logan Johnson, of Washington, D. C., praying for the enactment of legislation to increase the salaries of the janitors of the public schools in that city; which were ordered to lie on the table.

He also presented a petition of the Brightwood Citizens' Association, of Brightwood, D. C., praying for the enactment of legislation to increase the salaries of public school teachers in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of the Northwest Citizens' Suburban Association, of Washington, D. C., praying for the enactment of legislation providing for the extension of Massachusetts avenue, in the District of Columbia, and to preserve it as a residential avenue; which was ordered to lie on the table.

Mr. PLATT (for Mr. DEPEW) presented a petition of Buffalo Council, No. 50, Junior Order of United American Mechanics, of Buffalo, N. Y., praying for the enactment of legislation to restrict immigration; which was ordered to lie on the table.

He also (for Mr. DEPEW) presented a petition of the Syracuse Council of Women's Clubs, of Syracuse, N. Y., praying that an appropriation be made for a scientific investigation into the industrial conditions of women in the United States; which was referred to the Committee on Education and Labor.

He also (for Mr. DEPEW) presented a petition of the congregation of St. Paul's Methodist Episcopal Church, of Northport, N. Y., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and grounds; which was referred to the Committee on Public Buildings and Grounds.

He also (for Mr. DEPEW) presented the petition of Rev. Walter E. Bentley and 10 other citizens of Brooklyn, N. Y., praying for an investigation of the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

He also (for Mr. DEPEW) presented petitions of sundry citizens of New York City; of Local Union No. 52, of Mount Vernon; of Local Union No. 261, of New York City, and of Local Union No. 212, of Liberty, all of the Brotherhood of Painters, Decorators, and Paper Hangers of America; of Local Grange No. 714, of Westfield; of Warwick Grange, No. 948, of Warwick; of Wisner Grange, of Wisner, and of Southold Grange, No. 1036, of Southold, all Patrons of Husbandry, in the State of New York, praying for the enactment of legislation to remove the duty on denaturized alcohol; which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry railway organizations of Peoria, Galesburg, Clinton, and Joliet, all in the State of Illinois, praying for the passage of the so-called "employers' liability bill;" which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 6134) providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society, reported it without amendment, and submitted a report thereon.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 19432), to authorize additional aids to navigation in the Light-House Establishment, to report it with amendments, and I submit a report thereon. I shall try to call up the bill at an early season.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$10,000 for the preparation of reports and material to enable the Secretary of State to utilize and carry on the work partly performed by the Joint High Commission of 1898, etc., intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$20,000 to continue the demarcation of the boundary line between the United States and Canada, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (S. 1291) for the relief of James W. Watson, reported it with an amendment, and submitted a report thereon.

#### INTRODUCTION OF ROUTINE BUSINESS.

Mr. LODGE. From the Committee on Rules, I report an amendment to the rules, and give notice that I shall call it up as early as possible.

The VICE-PRESIDENT. The Secretary will read the resolution reported by the committee.

The Secretary read as follows:

Senate resolution 8, by Mr. LODGE, giving notice that "in accordance with the provision of Rule XL, I propose an amendment to the rules which will modify Rule VII." Strike out after the resolving clause and insert:

"Senators having petitions, memorials, pension bills, bills for the payment of private claims or for the correction of naval or military records to present after the morning hour may deliver them to the Secretary of the Senate, indorsing upon them their name and the reference or disposition to be made thereof, and said petitions, memorials, and bills shall, with the approval of the presiding officer, be entered on the Journal, with the names of the Senators presenting them, as having been read twice and referred to the appropriate committees, and the Secretary of the Senate shall furnish a transcript of such entries to the Official Reporter of debates for publication in the RECORD.

"It shall not be in order to interrupt a Senator having the floor, for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator."

Mr. GALLINGER. Is that the report of a committee?

The VICE-PRESIDENT. It is a report from the Committee on Rules.

Mr. GALLINGER. It will go to the Calendar?

The VICE-PRESIDENT. It will go to the Calendar.

#### CONTUMACIOUS WITNESSES.

Mr. MILLARD. From the Committee on Inter-oceanic Canals I report certain matter relative to the questions of law arising on the motion to require a witness to answer each and every one of the questions propounded to him before the Committee on Inter-oceanic Canals. I move that the papers be printed as a document.

The motion was agreed to.

#### ISSUANCE OF SUBPÆNAS.

Mr. FORAKER. The bill (S. 5769) to declare the true intent and meaning of parts of the act entitled "An act in relation to testimony before the Interstate Commerce Commission," etc., approved February 11, 1893, and an act entitled "An act to establish the Department of Commerce and Labor," approved February 14, 1903, and an act entitled "An act to further regulate commerce with foreign nations and among the States," approved February 19, 1903, and an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved February 25, 1903, was inadvertently and improperly referred to the Committee on Interstate Commerce. I move that the Committee on Interstate Commerce be discharged from the further consideration of the bill, and that it be referred to the Committee on the Judiciary.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. RAYNER introduced a bill (S. 6278) granting an increase of pension to Henry Humble; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 6279) for the relief of the estate of George E. House, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 6280) granting an increase of pension to David B. Husted; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6281) granting an increase of pension to Joseph C. Bowker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 6282) for the relief of the trustees of the Cumberland Presbyterian Church, Mulberry, Crawford County, Ark.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CRANE introduced a bill (S. 6283) granting an increase of pension to Clara A. R. Devereux; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6284) granting a pension to Anna A. Foster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 6285) to remove the restrictions on the alienation of lands in the Choctaw, Chickasaw, Cherokee, Creek, and Seminole nations, in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WARNER introduced a bill (S. 6286) granting an increase of pension to John Wood; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. NEWLANDS introduced a bill (S. 6287) for the formation of national corporations for railroad and navigation lines engaged in interstate and foreign commerce; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CULBERSON introduced a bill (S. 6288) to create a new division of the western judicial district of Texas, and to provide for terms of court at Del Rio, Tex., and for a clerk for said court, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PETTUS introduced a bill (S. 6289) for the relief of Mary E. Pillow; which was read twice by its title, and referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 6290) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased; which was read twice by its title, and referred to the Committee on the District of Columbia.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CLARK of Montana submitted an amendment proposing to appropriate \$2,007.20 to pay Thomas H. Kent, or his heirs, for money actually expended by him in causing to be made the survey known as the "Bundock survey" on lands formerly within the Crow Indian Reservation, Mont., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. HANSBROUGH submitted an amendment relative to the promotion of assistant paymasters of the Navy, after three years' service, to the grade of passed assistant paymaster, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. TELLER submitted an amendment proposing to appropriate \$13,663.51 to pay certain postmasters in Colorado, or their heirs, the difference between their salaries as computed and the salaries allowed them as set out in Senate Document No. 401, Fifty-ninth Congress, first session, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BURNHAM submitted an amendment proposing to appropriate \$49,000 for the construction of a chapel, recreation hall, and fittings at the navy-yard, Portsmouth, N. H., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

#### AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask that the Senate proceed to the consideration of House bill 18537—the agricultural appropriation bill.

There being no objection, the Senate as in Committee of the Whole resumed the consideration of the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907.

Mr. PROCTOR. Yesterday afternoon when the committee amendment beginning at line 24, page 21, was reached the junior Senator from North Dakota [Mr. McCUMBER] asked that it be passed over, as he wished to address the Senate upon it. I ask that the amendment on page 21 be now taken up.

The VICE-PRESIDENT. The amendment of the committee at page 21 will be read.



The SECRETARY. It is proposed to insert a new paragraph, as follows:

To enable the Secretary of Agriculture to establish, at such points of export as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, \$15,000, or so much thereof as may be necessary; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments from time to time, and the reports so made shall serve as a basis for the fixing of definite grades, to be determined by the Secretary of Agriculture as the evidence at hand may warrant.

Mr. FULTON. I ask the Senator from North Dakota to yield to me to make a brief statement concerning a matter which appears in the RECORD.

Mr. McCUMBER. I will yield with pleasure, Mr. President.

Mr. FULTON. In discussing yesterday evening, just prior to adjournment, a pending amendment providing for the payment from the proceeds of the forest reserves a certain per cent to the counties in the States where the reserves are situated, I submitted a few observations, and the report of my remarks is so inaccurate as to be misleading. I desire simply to correct those inaccuracies. I should state, however, that I do not attach any blame to the reporters because of the error, for I recall that at that time there was considerable confusion in the Chamber, and it is not surprising that they did not get an accurate report.

At one place I am reported as having said that these withdrawals of land for reserve purposes were made by the States, which, of course, is not correct. They are made by the General Government. But this is the particular paragraph to which I call attention and which I wish to correct:

It is stated on page 7549 of this morning's RECORD that I said the average product of timber is from twelve to seventeen thousand feet, board measure, per acre, and that the average price would probably be about \$1 per thousand stumpage—that is, for the tree as it stands in the forest—which would be "\$17 per acre for fifty years," leaving the inference that it would pay \$17 per acre per annum for fifty years.

As a matter of fact, what I stated was that probably a fair average would be 17,000 feet, board measure, per acre of timber, and that while many areas of timber would produce much more largely than that, taken as a whole, the timbered region would probably average that in the States of Oregon and Washington. I should rather put it this way: The timber being removed, it would not be renewed in less than fifty years, and the 17,000 feet would be the only return on an acre of timbered land during a period of fifty years. Ten per cent of that is proposed by the committee amendment to be paid to the counties where the forest reserves are located. Ten per cent of that would be \$1.70, and instead of yielding \$1.70 per acre for fifty years, it would be \$1.70 per acre in a period of fifty years, which is a very different proposition. That is the correction I wish to make.

Mr. McCUMBER. Mr. President, the amendment on pages 21 and 22 of the bill proposes—

To enable the Secretary of Agriculture to establish, at such points of export as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, \$15,000 is allowed to cover the expenses, and he is authorized to report upon such samples, parcels, or consignments from time to time.

Now, Mr. President, this amendment is the rather weak result of an effort on my part to enlist the attention of the Committee on Agriculture and Forestry, and also the attention of the Senate, to grave abuses that have been sustained by the agricultural section of Minnesota, North Dakota, Montana, South Dakota, and to some extent, Nebraska.

I have made an earnest effort, Mr. President, to bring this matter before the attention of Congress, and to secure legislative enactment for the purpose of curing the great wrongs which are now inflicted upon a portion of our public.

I hope that no point of order will be made upon this amendment. I assume possibly that a point of order will lie. The amendment is in the right direction. It is facing Congress and Congressional action toward a matter of vast importance to every one of these States. It is a step, I may say, in the right direction, but it is a step of an inch when in fact it ought to be one of a mile.

It is no easy thing, Mr. President, for a representative of the Dakotas to stand by and for years see from \$3,000,000 to \$5,000,000 filched out of the inhabitants of his State by reason of an unjust system of grading and inspection of grain at a terminal point over which that State has no jurisdiction whatever. It is extremely hard when I couple with that knowledge the further knowledge that there is a simple and speedy and a full and adequate remedy against a continuance of this evil.

Mr. President, we had a discussion yesterday upon the matter of paternalism by the Senator from Maine [Mr. HALE]. I

think that I am as much opposed to the extension of any power that is paternalistic in the slightest degree as the Senator from Maine can possibly be. I am not unmindful, however, of the clear provision in our Constitution that Congress shall have power over interstate commerce. I am not unmindful of the fact that the power therein granted has resulted in the greatest blessing to all of the people of the United States by a judicious exercise of the power by Congress. We have heard in connection with that, and will hear again, the matter of State rights, and whether the exercise of the power of Congress under this provision is inimical to the rights of the States themselves.

There is but one safe ground that can be taken by Congress under its authority to regulate interstate commerce and the State under its authority to regulate its own internal affairs, and that position is that each one of these sovereign powers shall so exercise the power within its own authority that it shall be in harmony with the authority exercised by the other power. It is to harmonize the differences between the State authority and the constitutional authority that we may secure the best results and avoid the danger of Congress attempting to override those things which are peculiarly and should be peculiarly within the province of the several States.

I appreciate, Mr. President, the good intent of the Committee on Agriculture and Forestry, which has sought by this amendment to apply a correction to some of the evils that are complained of. But the amendment which the committee proposes does not go far enough. It simply provides that the Secretary of Agriculture, through his Department, may take samples of our grain that is to be exported, and, taking them to the proper laboratory, may examine them, and then may determine what the grade ought to be given for that grain. But that is kept peculiarly within his own knowledge under the amendment, and therefore no effectiveness is given to the law.

Now, what object is there in such a law? The prime object is to meet the complaint that we are sending out to foreign countries grades of grain that are fraudulent, and thereby discredit our grain in the foreign markets of the world. The effect of that discrediting is to reduce the price which will be paid there, and that reduction necessarily reacts and reduces the price that is to be paid at the place of initial sale and the place of production.

I have introduced a bill to remedy the whole matter, and that bill provides that the Federal Government at the principal terminal points may inspect and grade the grain that is the subject of interstate or foreign commerce. When it has done this the grade has a national character, a national inspection, a national certificate that will follow the consignment of grain wherever it may go in this country and into any other country to which it is consigned. It will cure a multitude of abuses which I am constrained to discuss at this time for the reason that that bill has never been reported from the Committee on Agriculture and Forestry, and this proposed amendment allows me the only opportunity to lay before the Senate the great wrongs that are being complained of by the people whom I in part represent.

Why has not that bill been favorably reported, Mr. President? I will state the reason. We have fallen into a habit—and I deprecate that habit as much as anyone can—of allowing our legislation to be practically dictated by the several Departments of the Government. When our ancestors established this great Government, they intended that Congress should be the legislative branch of the Government. They created these great Departments for no other purpose than to properly carry on the executive business of the Government and to furnish Congress information which might guide it in all future legislation. It was never intended at that time that Congress should bow its head meekly to every suggestion that should be made by the Departments as to what legislation they desired, or that it should surrender its legislative functions of considering and determining what ought to be legislation simply because it did not harmonize with the idea of the head of a Department. This new innovation is doubly pernicious when we consider that under the present system, when we send down to a Department from any of these committees to get advice upon any proposition, the letter of inquiry is generally sent to some clerk who looks over the records and determines what ought to be done, and secures the signature of the head of the Department, and that letter comes to us then as a guide and an instruction of what the Congress of the United States shall do in the enactment of laws. So that a \$900 or a \$1,200 clerk to a certain extent may govern and control the legislation which we enact here.

Everyone knows, as I know, that the moment we receive from one of those clerks a letter which purports to come from the head of the Department, if it is antagonistic to any proposition

it simply throws a cold chill over such proposed legislation. Senators are getting into the habit, and I deprecate that habit, and I think they do, also, of first wanting to know what the Department has to say; and if the Department does not make a favorable and a strong report they simply lay the matter aside as hardly worthy of consideration, and bother themselves very little about it after that.

In this case a clerk of the Department thinks that the proposed legislation is unnecessary. Why? Because the same party who dictates the letter has had a scheme of his own, I might almost say a hobby of his own, which he thinks may be better, or will take the place of the bill I introduced; and because of that, to a great extent, we have not had that earnest and full consideration in the committee which I think this important provision demands.

Mr. President, I introduced testimony laying before that committee the reasons for the demand of this general legislation, and every matter that I thought would clearly and concisely explain it. That testimony, printed in a Senate document, has never been answered before that committee. Not one syllable, not a line of it, has been answered. There has been a little statement of two or three lines, that there are many good things in this provision, but the Department is not quite ready for it. In addition there are many resolutions, undoubtedly from boards of trade who are fattening under the present system at the expense of the farmer producer, and who naturally can see no virtue in any change whatever.

Now, I am earnestly trying to get this matter to be considered by Congress. There are just as good men, as intellectual men, I hope, in the Senate of the United States, who can consider and conscientiously determine, under their oath and upon their good judgment, what is proper legislation, as you can find in any Department.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. With pleasure.

Mr. PATTERSON. Some of the Senators on this side are becoming quite interested in the very earnest discussion by the Senator from North Dakota, but we are in the dark as to what it is he really desires and as to what his amendment is. That we may follow the Senator more intelligently, will he kindly state what his amendment is and the immediate object to be attained?

Mr. McCUMBER. I do not seek in discussing this matter to ask at this time that we shall go to the extent of the full remedy which is demanded, because that requires full and careful consideration as a separate measure. The amendment which I now offer is an amendment to the amendment of the committee. The Secretary of Agriculture is given authority already by the amendment of the committee to take samples of exports and analyze them and determine the grade and character. I want to go further and ask the same person who examines and passes upon that to issue a certificate as coming from this Department of the United States, which certificate shall state the number of bushels consigned, approximately, the consignor, the consignee, the ship in which it is taken, and giving the kind and grade and quality of that grain. Such certificate, to be issued in duplicate, one to be delivered to the consignor or shipper, the other to be delivered to the consignee or purchaser, to the end that the purchaser may know what he is getting and that he will get a grade that will conform to what it purports to be.

Mr. CLAPP. May I interrupt the Senator from North Dakota?

Mr. McCUMBER. Certainly.

Mr. CLAPP. I understood the Senator to say that he is not asking at this time all that he has in view. Does he ask an amendment to the bill covering the last point presented?

Mr. McCUMBER. Certainly; but in order to explain the one, it is necessary that I shall go more or less fully into the subject.

Mr. CLAPP. It might be well to have the amendment read.

Mr. McCUMBER. I had the amendment read last evening.

Mr. CLAPP. But at that time a great many Senators were out of the Chamber.

Mr. McCUMBER. At the suggestion of the Senator, I would be glad to have it read.

The VICE-PRESIDENT. The Secretary will again read the amendment.

Mr. PATTERSON. Then I will ask the Senator a question.

The SECRETARY. On page 22 of the bill, it is proposed to amend the amendment of the committee by adding, after the word "warrant," in line 9, the following words—

Mr. HANSBROUGH. I think the amendment as reported by the committee should be first read and then the amendment proposed by my colleague.

The VICE-PRESIDENT. The Secretary will first read the amendment reported by the committee.

The SECRETARY. The Committee on Agriculture and Forestry report as an amendment, to insert on page 21, after line 23, the following:

To enable the Secretary of Agriculture to establish, at such points of export as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, \$15,000, or so much thereof as may be necessary; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments from time to time, and the reports so made shall serve as a basis for the fixing of definite grades, to be determined by the Secretary of Agriculture as the evidence at hand may warrant.

To this the Senator from North Dakota [Mr. McCUMBER] proposes to add the following:

The officer or employee obtaining such sample or parcel for examination shall ascertain the necessary facts and make and sign a certificate showing that the same is made under the direction of the Department of Agriculture, certifying the date and fact of such inspection, the approximate number of bushels in each consignment, the vessel in which the same is exported, the consignor or shipper, the consignee or purchaser, the provision of law under which such certificate is made, the kind, quality, and also grade of such grain or seed, its condition at the time of shipment, as ascertained by such examination, and any other facts which may be proper to clearly indicate its character. Such certificate shall be issued in duplicate, one to be mailed to the shipper or consignor, the other to the purchaser or consignee.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. I yield to the Senator from Colorado.

Mr. PATTERSON. This thought is suggested by the amendment of the Senator from North Dakota. As I understand him, his object, in short, is to secure from the Government a certificate as to the quantity, character, and quality of grain; that is to follow the article wherever the grain may go, if it is the subject of interstate commerce, to be used by the vendor and the vendee for fixing quality, quantity, etc., in the purchase and sale.

Is there any reason why such a provision should not attach to every article that is the subject of interstate commerce? Is there any reason why the Government should not be called in to give its certificate to every kind of commodity, whether the product of the field or of the shop, and that everything should be bought and sold upon the certificate of the Government?

Mr. McCUMBER. Mr. President—

Mr. CLAPP. Will the Senator pardon me a moment?

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I do.

Mr. CLAPP. This does not apply to an interstate matter any more than an intrastate matter. It is simply an examination at the point of entry, for instance, New York or Boston.

Mr. McCUMBER. I will answer the Senator—

Mr. PATTERSON. Then my question might be modified so as to meet products of any kind.

Mr. McCUMBER. I can answer it, Mr. President.

Mr. PATTERSON. I was asking why, then, the Government can not take supervision of anything and everything in order that no swindling may occur and that every transaction may be an honest one?

Mr. McCUMBER. There is a very great reason. The Government should make laws only where there is a demand for laws. People should be practically free to conduct their business without restrictions, unless conditions arise which render those restrictions absolutely necessary. That is a proposition that should apply in all cases. I admit that we have altogether too many laws sometimes; but when for years it has been demonstrated that the grossest character of fraud is connected with and follows a certain line of business, which fraud is inimical to the interests of a large portion of the public, then it becomes the moral duty of the sovereign power, which can pass the law which can apply the correction, to apply it for the protection of the people. That is why it applies to this case, and does not and should not apply to all other cases. When the same deceit, when the same fraud applies to other conditions, then we should apply the same law by the proper sovereign power, be it State or be it Federal. But when a single State like my own, by a system of long-prevailing fraudulent inspection loses every year from \$3,000,000 to \$5,000,000, which belongs to the laborers upon our farms, then it becomes the duty, if that condition has lasted so long as to demonstrate its permanency, of the Government, that has the power to abate the wrong, to take steps to do so. I think that should be an answer to the query of the Senator from Colorado [Mr. PATTERSON].

Let us understand these conditions; and I will explain them as briefly as I can. What is the system of which we are complaining? Remember that every bushel of wheat that goes to market in western Minnesota, in North Dakota, and in the



greater portion of South Dakota, I think, finds its first place of sale in the cities of Minneapolis and Duluth, in Minnesota, and in Superior, Wis. Remember that we can not control the grain which we have shipped after it has crossed the Red River of the North; that it then falls under the jurisdiction and under the laws of another State.

The State of Minnesota has a grain and warehouse commission, I think it is termed. Under the laws of that State that commission is given certain powers in the matter of the grading and inspection of grain. A chief inspector is appointed, and that chief inspector appoints his deputy. If an appeal be taken from the grading or from the inspection of grain made by the deputy, the appeal necessarily goes to the principal who appoints him. The principal, who appoints that deputy, is, as I am informed, in nearly every instance placed there by the predominating influence of the grain elevator companies. He then is more the representative of those great terminal elevators than he is of the producers of that grain. I repeat, when an appeal is taken from the deputy it goes to the chief. The interest of the chief is to sustain the action of the deputy, if possible. The relief from such an appeal, therefore, amounts practically to nothing.

The great terminal elevator companies have lines of elevators throughout the States of Minnesota and North Dakota. They instruct their purchasers and their agents stationed on those lines as to what grades they shall give; and they will give no other grades. Then, when the grain comes through another source, as we in North Dakota ship a great deal in carload lots, it falls into the hands of these same inspectors; and they, as a rule, as shown by the report of a legislative committee of that State, during the early period of the movement of grain, inspect and grade it, resolving every doubt in favor of the terminal elevator company as against the producer of the grain. The result of that is that two-thirds of the grain from those great States is shipped and disposed of and sold at a grade or two less than properly belongs to it.

Mr. PATTERSON. Mr. President—

Mr. McCUMBER. I will yield to the Senator in just a moment.

Then, two-thirds of that grain lies in the terminal elevator until later in the season, when the grades are all raised, after the farmer has got rid of the greater part of his grain, and the terminal elevators receive a higher price for their own grain, which they have bought at a grade lower.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. I yield, Mr. President.

Mr. PATTERSON. I wish to ask the Senator under what system is this elevator commission to which he has referred in his remarks appointed?

Mr. McCUMBER. It is appointed, as I explained, under the laws of the State of Minnesota.

Mr. PATTERSON. But who appoints them?

Mr. McCUMBER. The appointment of the chief inspector, I think, is made by the governor.

Mr. CLAPP. Mr. President—

Mr. McCUMBER. Any error I make the Senator from Minnesota [Mr. CLAPP] will correct, as he knows more about it than I do.

Mr. PATTERSON. I want to ask the Senator whether he is attacking the integrity of the commission, which exists under the law for the purpose of the inspection of the grades of wheat?

Mr. McCUMBER. The Senator will have to draw his own conclusion as to who or what is attacked. The system is wrong; the system is unjust; the system works for the benefit of the purchaser and against the benefit of the producer.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield to the Senator with pleasure.

Mr. CLAPP. I had not anticipated that this question was coming up this morning, and so I am not prepared with any figures to dispute any of the charges made by the Senator from North Dakota; but I can not sit here and hear the officials of my own State arraigned in this matter and in this manner without protest. From all I can learn, they have established a grade in Minnesota which gives the standard wherever wheat is sold. It is a grade which is recognized in Liverpool.

The chief inspector under the present law, I think, is appointed by the commission, and the commission, I think, is now elected, though it was formerly an appointive commission. Of course, as I have said, I am not prepared with figures to meet at this time these charges, but it seems to me a most un-

warranted procedure to arraign officials of a State in this manner, and I protest against it.

Mr. McCUMBER. I have the figures to sustain every proposition that I will make, and I have the judicial decision of Judge Sanborn, whom the Senator respects, I think, as much as any man, in which he again and again asserts the corruption of the system, and the Senator will listen to it before I am through with this argument. I have the figures, which I have given before in an address and which I can give again, showing the workings of the system. The figures are taken from the reports of the State grain and warehouse commission of the State of Minnesota, showing that there are three times as many bushels—I think that is approximately correct—of the higher grade of wheat sold out of the elevators as are taken into the elevators, and about one-third more of the number of bushels of the lower grades sold out of the elevators than are taken into those elevators. I can give the Senator the figures if he desires them.

Mr. CLAPP. I should like to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. Certainly.

Mr. CLAPP. Do I understand the Senator to say that Judge Sanborn has charged corruption upon the men who administer the law in the State of Minnesota?

Mr. McCUMBER. I am going to read the decision of Judge Sanborn, and then the Senator can see what the judge says; it will speak for itself, and it is a most important legal document. It is alive with condemnation of this system, which it again and again characterizes as fraudulent. The Senator will receive it all. I will give no figures at all here to-day, but I have them, and the Senator can read them at any time. I will furnish them to him if he wishes to see them.

Now, Mr. President, I want to go a little further and show the system here, so that Senators can see the injury which we are suffering.

In addition to this we have our mixing elevators at the terminals. These mixing elevators will take, we will say, a million bushels of No. 1 northern and 3,000,000 bushels of No. 2 northern, mix them together, and then they are graded as No. 1 northern and the whole mass shipped to Liverpool or to Marseille or to some other place. The consignee receives the shipments; the miller receives them. He finds they do not conform to the standard laid down by the laws of Minnesota. Serious complaint is made to that cargo of wheat on the ground of fraud. The consignee knows that wheat is sold by grade, and not by inspection. The purchaser makes serious complaint against our American wheat and declares it to be inferior to Canadian wheat of the same grade that is raised and purchased cross the line.

Another trouble is that the producer of the grain, the farmer, in my State and in South Dakota and in other States, has no voice whatever in determining the personnel of the commission or the personnel of the chief inspector or his deputies who are to pass upon his grain. They may inspect it as No. 3 northern, when it is entitled to be graded as No. 1. They may take out 4 pounds per bushel for dockage, when, as a matter of fact, they should not have taken out to exceed half a pound. It is estimated that in ten years 26,000,000 bushels more were sold out of the elevators at the great terminals which I have mentioned than were taken in during the same time. Somebody got the benefit of that 26,000,000 bushels of grain, and it was not the men who raised it.

Mr. HANSBROUGH. Can my colleague state what was the grade of that wheat?

Mr. McCUMBER. That many more bushels were taken out than were put in, independent of grade. That amount was taken out in ten years, and from the best evidence I can secure they sold out that much more than was taken in, according to the weight rendered by them to the farmer.

In addition to that, this dockage is a most important element, because the farmer pays the freight on everything that is taken out, though he gets no benefit from it. What is done with this dockage? If any is taken out at all, it belongs to the purchaser, and it is ground and sold for practically as much as the better part of the grain from which it was extracted is sold. Therein is another great injury.

Mr. President, how may this be remedied? It can be remedied by a national inspection, because if national inspectors were appointed at these great terminals—and it would not be necessary to have them at more than twenty-five different places—they would be free from political influence of every character whatever. If they should prove to be inefficient they could be removed; if they should turn out to be not the proper persons for one place they could be sent somewhere else, where

they could do better work. We would have a complete remedy against present conditions. Proper provision could be made for appeal in case any wrong was committed. Under such a system the owners of elevator lines could not instruct their purchasers not to grade higher than a certain figure, because it would soon be demonstrated that they were giving an unfair grade, and they could not long continue business while they were doing that if it were known or means of determining it were to be had. In addition, there would be no inducement for the national inspectors to resolve every doubt in favor of the terminal elevator and against the farmer who produces the grain.

Under national inspection it would be impossible, I believe, to ship out three times as much of a certain grade as is taken in. When I say three times, I am using the term approximately, and not attempting to use it to demonstrate the exact proportion. Under such a system the buyer, by controlling the personnel of the board, would have his remedy. He could appeal to his Congressman, and the Congressman could go to the State Department. He would have some way of having his voice heard and having his statements listened to in reference to anything that was wrong in the system which might be in vogue at any particular time. The producer of North and South Dakota has not the slightest voice now in determining the personnel of the inspecting boards, nor has he any voice in effecting a remedy against any wrong.

Mr. President, under the national system it would be impossible to secure false certificates as to grades so as to assist in gambling. I have evidence on that point from a member of the board in Superior, who says he will give the very numbers of the cars to show that they have been manipulated in a number of different instances.

Now, about the feasibility. Is it a simple proposition? If a State can do the work through its officers, if a board of trade can do its own inspecting and grade the grain through the force it employs, what on earth would prevent the Government from taking similar forces and operating the same as the others do, except that the operations there would be justly and fairly conducted and without any political influence to bias the officers in their labors? I could go on to a considerable extent in this line, Mr. President, but I do not care to cover the whole field that might be considered upon the simple proposition of this amendment.

Mr. President, what has been attempted heretofore? Years ago both the State of North Dakota and the State of Wisconsin acting jointly, attempted to see what could be done to change these conditions. Two years ago, I think it was, the legislature of the State of Wisconsin enacted a law to cure these defects. They provided against the wrongful grading, against mixing, and against the other offenses from which our people were suffering. They also attempted to appoint, under a State law, a representative upon their board from the State of North Dakota and another from the State of New York, that they might act in harmony to secure honest grades from the Dakotas, to secure honest grades in the export of grain from the terminal places in the State of New York—Buffalo and the city of New York.

That law was attacked. The moment they tried to put it in force the Duluth Board of Trade counteracted on them. They first made rules and regulations forbidding any person belonging to that board from dealing in grain under the Wisconsin statute; they made it a criminal offense, so far as a board can make a matter a criminal offense, and subjected the members of that board to discharge if any one of them should buy or sell grain under the Wisconsin law. They attempted to meet it in that way. A conflict immediately arose between the boards in the State of Minnesota and the officials in Wisconsin. It was a long struggle, and even went to the extent of physical force. I have a letter here from the secretary of the Board of Trade of Superior, Wis., and I ask the Secretary to read that portion of the letter which I have marked.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

I am ordered by our board of directors to give you a concise statement of the operations of the Wisconsin grain-inspection law so far.

The elevator and grain ring, with the Duluth Board of Trade, are putting up a desperate fight. Everything short of actual war has been resorted to to defeat the law. They have been defeated at every point, but they are appealing case after case, deferring the inevitable, and they can not stave it off much longer. Elevators have been boarded up and stairways torn out to prevent entrance of Wisconsin officers and inspecting and weighing, and in some instances officers have forcibly entered elevators. But we must await the action of the courts.

State fees have been paid into court and tied up, and public-spirited citizens have been compelled to advance money to the Wisconsin grain and warehouse commissioners to pay their employees, although the department has earned several thousand dollars in excess of expenditures.

Rumblings of compromise are heard, providing the commissioners are changed. It is suggested that had the commissioners been named as suggested by the grain ring no contest had been necessary.

Mr. McCUMBER. That indicates some of the trouble. Here I have a clipping from a Wisconsin paper, which I also ask to have read at this time in connection with this matter to show the intensity of feeling in the struggle between the Minnesota system and the board and that of the State of Wisconsin.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield.

Mr. CLAPP. I ask these questions because it has been several years since I have been associated with the State government of Minnesota, and I do not know what legislation there may have been of late. Is wheat now inspected at Superior?

Mr. McCUMBER. No. Under the present system there has been no change in the laws of Minnesota. Wheat is inspected at Sandstone, a distance of some 8 miles before it reaches Superior; then it is sold under the Minnesota system. The large terminal elevators at Superior are working in harmony with the Minnesota inspection law, because they get the same benefit out of this Minnesota inspection law as the other terminal elevators.

Mr. CLAPP. Has Wisconsin a State inspection law?

Mr. McCUMBER. It has a State inspection law.

Mr. CLAPP. Why do they not enforce that law? I am asking this because, as I say, it is some years since I have been familiar with the legal phase of the matter.

Mr. McCUMBER. It is almost impossible to enforce it for the reasons that have been given. The great terminal elevators in Duluth and in Superior that are dealing with grain on the Minnesota basis also declined to comply with the laws of the State of Wisconsin, and brought the matter into court. It is upon this case that Judge Sanborn rendered his opinion. The action was brought by an elevator company in Superior against the warehouse commission, or the board, in the State of Wisconsin that enforces that law, and certain railway companies. I will reach that presently and it will be explained. I will say to the Senator that in the decision, which I will have read—

Mr. CLAPP. What was the effect of the decision?

Mr. McCUMBER. The law was declared unconstitutional, as being an unlawful interference with interstate trade.

I ask the Secretary to read the clipping which I send to the desk, lately cut from a paper at Superior, I think.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

#### PITCHED BATTLE OVER GRAIN INSPECTION.

SUPERIOR, WIS., December 7.

A pitched battle was fought at the Cargill elevator, in this city, between two Wisconsin inspection officials and five men from the steamer *Rollins* and the elevator. Legal complications of a serious nature will probably result from the encounter.

According to the story of those who saw the affair, the inspectors were on the defensive throughout the fight. The men were sent to the elevator to weigh some grain out on the steamer *Rollins*, and the objection of the superintendent of the elevator and the officers of the boat to their presence on the premises caused the fight.

The Wisconsin inspectors went ahead and took a number of samples in spite of the threats of violence with which they were forced to contend. Things began to look black, however, before they had finished the job, and, concluding that discretion was the better part of valor, they prepared to take what samples they had secured and take to their heels.

The opposition was willing to have them retreat, but was not in favor of having the Wisconsin people carry away the samples. The inspectors were told that they must leave the grain. They sent back an ultimatum to the effect that they would see the vessel men and Superintendent McManus "in hell first," and then left hurriedly for headquarters.

Their retreat was cut off, however, and a party detached from the elevator caught them.

The Wisconsin inspectors allege that they were threatened with knives by their captors. Whether this is true or not, it is a fact that their samples were taken from them and cut and slashed until they were of no value. The inspectors were delayed so that they did not reach the offices of the commission until late in the night.

Yesterday morning a formal complaint was filed against the parties who took the samples with the district attorney. The latter will commence a case immediately, with a view to punishing those responsible for the treatment of the inspectors.

President Andrew, of the commission, stated to-day that he considered the attack an outrage against law and order, and that the matter would certainly not be passed by lightly so far as the commission was concerned. He also stated that a force of men large enough to take samples from the boats would be sent to all the elevators, and that the inspection laws of the State, as well as other laws, were to be rigidly enforced. If Mr. Andrew's inspectors are unable to bring away their samples it is intimated that the governor will be asked to provide militia to aid in enforcing the law.

Mr. McCUMBER. Mr. President, inasmuch as the Senator from Minnesota seemed to think that possibly I was doing an injustice to the Minnesota system, I wish to call his attention to the fact that there is a grain growers' association of the



States of Minnesota, South Dakota, and North Dakota, representing the farmers of those three States. That grain growers' association has among its members those who have given this subject a great deal of consideration, and they join with me as they have before joined in every effort that has been made to escape the tyranny of that system as I have given it. They believe that they are not used right. The figures, which are indisputable, show that they are correct.

I now desire to have read the resolution by the Tri-State Grain Growers' Association of these three States, adopted at their last meeting, in January. Their complaint is not without merit.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The Tri-State Grain and Stock Growers' Association passed the following resolution unanimously January 19, 1906:

"Whereas Senator McCUMBER, of this State, has introduced a bill in the United States Congress to provide for a national inspection and for fixing a uniform standard of classification and grading of wheat, flax, corn, oats, barley, rye, and other grains, and for other purposes; and

"Whereas the personal experience of the farmers of the Northwest has shown the necessity of a measure of this kind; and

"Whereas such a law would not only give the producer the grade to which he is entitled, but would make it so that the purchaser could rely on the quality of the grain bought in whatever market it might be obtained: Therefore, be it

"Resolved, That we hereby heartily indorse the principle proposed in this bill, and ask Congress to speedily pass the same, that we may obtain relief from the injustice which we suffer under the present existing conditions."

I certify that the above resolution is correct as passed by the Tri-State Grain and Stock Growers' Association, of Fargo, N. Dak., January 19, 1906.

J. A. JOHNSON, Secretary.

Mr. McCUMBER. Mr. President, I have here a most important document, not only from a legal standpoint, but also from the standpoint of a fair consideration of this subject. I have a judicial review upon evidence adduced before the court and the findings of fact of the court as embodied in its judgment, which is of great importance. I will ask that this opinion be printed as a Senate document, and, in addition, ask that the Secretary read those portions of the opinion which I have marked. It is important because it goes thoroughly into the legal question and also deals with the injustice of the present system. I will ask the Senate's kind attention while it is being read.

Mr. PATTERSON. Will the Senator state the date of the decision?

Mr. McCUMBER. It was an action—

Mr. PATTERSON. When was it rendered?

Mr. McCUMBER. It was rendered the 20th day of April.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Circuit court of the United States for the western district of Wisconsin. Globe Elevator Company, complainant, v. Homer Andrew, M. F. Swanston, John D. Shanahan, Byron Kimball, Peter S. Christenson, Great Northern Railway Company, and Northern Pacific Railway Company, defendants.

#### OPINION ON MOTION FOR TEMPORARY INJUNCTION.

Crossbill of the Great Northern Railway Company was brought against the complainant and all the other defendants.

In the city of Superior, Wis., lying in the extreme northwest corner of the State and separated from the city of Duluth, in Minnesota, only by a navigable waterway, there are fifteen large elevators and six flouring mills. The flouring mills have a capacity of about 75,000 bushels of wheat per day, or about 20,000,000 bushels per year. Part of the product of these mills is marketed in Wisconsin and the balance is shipped to other States east of Wisconsin. The Great Northern Railroad extends from Minnesota into Wisconsin a few miles south of Superior and runs northeasterly through the city of Superior and thence to Duluth. The Northern Pacific Railway has a terminus at Duluth, and extends thence into Superior and east to Ashland, Wis. The St. Paul and Duluth Railroad, controlled by the Northern Pacific Railway Company, branches at West Duluth, about due west from the center of the city of Superior, one branch extending to Duluth and the other across the St. Louis River to Superior. The Omaha Railway Company also extends from Minnesota into Wisconsin to Superior and Duluth, branching at Spooner, about 60 miles southeast of Superior. All of these railroads carry grain, a large part of it being carried by the Great Northern company. The latter company has very large yards at Superior. The grain trade carried on all these roads amounts to about 40,000,000 bushels a year.

Prior to the enactment of chapter 19 of the laws of Wisconsin for 1905, and for a period of about ten years, inspectors and weighmen, acting under the authority of the railroad and warehouse commission of the State of Minnesota, had inspected and weighed all grain received in Superior, many of these men coming from the city of Duluth daily for the purpose of doing this work. Being outside of the jurisdiction of their appointment and the jurisdiction of the laws under which they were appointed, they were not subject to any official oath, nor were they amenable to any law prescribing their duties or punishing the failure to perform them properly. Under this system, as might well be expected, grave abuses in the grain trade had grown up, and under such circumstances the legislature of the State of Wisconsin passed the law in question.

The testimony further shows that, according to the reports of the railroad and warehouse commission, more grain was reported and certified as having been shipped out of Duluth and Superior than was

received into these cities, after deducting from the grain received the grain that was milled or ground into flour and other food products, one witness placing the amount at 25,000,000 bushels for the ten years from 1893 to 1902, inclusive.

Mr. McCUMBER. I was in hopes that the Senator from Minnesota would listen to just that portion, as it corroborates my statement as to the extra number of bushels sold in ten years in addition to the number of bushels received. Twenty-six million is given there.

The Secretary read as follows:

The testimony shows that this was brought about partly by docking all grain that arrived in the city from one-half to 7 or 8 pounds per bushel, whereas there was no dockage on grain shipped out of the city. There was also an arbitrary dockage in weights of grain going into the elevators of one-half bushel per car. There was also an undergrading of grain as it arrived in the city of Superior and Duluth and an overgrading of the same grain when it was shipped out of these cities, the reports of the railroad and warehouse commission showing that a less number of bushels of the higher or best grades was received in than was shipped out and a larger number of bushels of the lower or poorer grades was received in than was shipped out. The price of grain is fixed by grades. Consequently when grain is received into Superior at a low grade and shipped out at a high grade the seller of the grain arriving in Superior receives a less price than the purchaser pays for the same grain when it is shipped out, the profits, of course, belonging to the middleman—the elevator company.

This in part was the situation as shown by the evidence when chapter 19, laws of 1905, was passed by the legislature, and the legislature had these and other facts before them at the time of the passage of the act.

It further appears that the Great Northern Railway has for many years transported large quantities of grain, exceeding in value \$1,000,000 a year, from its railroad terminus in Superior to steamboats plying on the Great Lakes for the purpose of further transportation to eastern markets and foreign countries. In order to facilitate such commerce it built large terminal railway yards and transfer and storage appliances and equipments, as well as two large elevators. It is and for many years has been engaged in transporting wheat, flax, oats, barley, rye, and corn received from shippers along its line in Montana, North Dakota, South Dakota, Iowa, Nebraska, and Minnesota, considerable of which grain being delivered by it into elevators in Superior. Prior to the enactment of chapter 19, 1905, cars arriving over the Great Northern usually came early in the morning. They were stopped in the yard, which is from 2 to 8 miles from the elevators and mills to which considerable grain is finally delivered by the railway company, and the grain was there inspected by persons acting for the Railroad and Warehouse Commission of Minnesota under the Minnesota act of 1885. Grades were made, called "Minnesota grades," which were exhibited on the board of trade at Duluth, a body of about 300 members, and the grain was there bought and sold for delivery either in Superior at some elevator or mill or, to some extent, for delivery in Duluth. The cars remained in the yard during the day awaiting disposition pursuant to such sales, and the disposition of the day's shipments were not made until about 4 o'clock in the afternoon. By this time the cars were made up into trains for delivery either at the Great Northern elevators for shipment to Duluth, to some extent, or for delivery to the Superior Terminal and Transfer Railway Company, which is a belt line railway company connecting with all of the railroads running into Superior, and by said terminal company the cars of grain were delivered to other mills and elevators, or possibly to some extent for further shipment by rail eastward.

Substantially all the grain coming to Superior is produced in States other than Wisconsin, and its mill product is shipped to States east of Wisconsin, although a considerable amount of flour is marketed in Wisconsin by the mills. After the passage of chapter 19, 1905, objection was made to the inspection of the grain in Superior by agents of the Minnesota warehouse commission, and the mill and elevator owners and members of the Duluth Board of Trade, cooperating with the railroads, procured the stopping of the Great Northern cars at points on its line in Minnesota called Sandstone and Cass Lake, and the inspection which formerly was made at Superior took place at these points. After such inspection the transit was continued until the cars were stopped in the Great Northern yards as already stated. The Northern Pacific cars containing grain were stopped in Duluth and the inspection there made under the supervision of the Minnesota Commission.

It is charged in the answer that after the passage of chapter 19 complainant conspired and combined with the owners, managers, and operators of the other elevators in Superior, and of the mills, and the Board of Trade of Duluth and members thereof, not to buy or sell or manufacture any grain under the inspection, grading, or weighing of the Superior warehouse commission created by chapter 19, but to buy and sell all grain under Minnesota inspection and subject to weights to be made by designated agents of the Duluth Board of Trade. To this end the Duluth Board of Trade, in the summer of 1905, promulgated rules forbidding any of its members, under penalty of expulsion, from buying, selling, or handling any grain under Wisconsin inspection or weighing, from belonging to any other board of trade or like organization located within 100 miles of Duluth, and from maintaining or becoming interested directly or indirectly in any office or place of business outside of Duluth for the dealing in grain, and from becoming a stockholder in a corporation or member of a firm dealing in any grain dealt in or quoted upon the Duluth Board of Trade at any point within 100 miles of Duluth; and further requiring all persons applying for membership to the Duluth board to sign an application containing an agreement that the applicant would resign his membership in said board within five days if at any time he should violate such rules, and further requiring the applicant to use his influence toward the protection and upbuilding of the business of said board and its members in every way to the limit of his power and the best of his ability.

It is further alleged in the answer that the Duluth Board of Trade, for the purpose of restraining trade and commerce among the several States, endeavored and attempted to monopolize and control the market of grain by arbitrarily fixing a limit upon the price which should be offered or bid upon the board, and has prohibited and prevented its members from bidding on, offering to buy, or buying any grain at a higher price than so fixed, or buying or selling grain at any other place than upon the board within 100 miles of Duluth. The result of this action on the part of the board of trade and the mill

owners has been to compel those persons formerly buying and selling grain in Superior to become members of the Duluth Board of Trade and to buy and sell all grain upon its floor.

The testimony shows that the railroads hauling grain have acquiesced in the action of the Duluth board and the mill and elevator owners, and thus the market for grain in Superior has been destroyed and forced into the Board of Trade of Duluth and Minneapolis, and that the Great Northern has stopped its trains at Sandstone and Cass Lake for the purpose of Minnesota inspection accordingly.

Mr. McCUMBER. If the Secretary is through with that portion, there is another portion marked on page 7.

The Secretary read as follows:

Chapter 19, laws of 1905, creates a corporation known as the Superior Grain and Warehouse Commission, and provides for the regulation of public warehouses. Its chief purpose is to create a system of Wisconsin inspection and fully enforce the same through strict penal provisions, and incidentally prevent the sale of grain by the fraudulent Minnesota system. This purpose is sought to be accomplished, first, by carefully drawn provisions governing the inspection and weighing of grain milled, bought, or sold in Superior, or stored or shipped from Superior elevators or warehouses; second, by exhaustive and thorough regulation of the grain-warehouse business in Superior, and, third, by provisions making the sale, purchase, or delivery of grain under the Minnesota inspection system difficult, if not impossible. The intent of the law seems to be to destroy the Minnesota system, because it is fraudulent, and to substitute therefor the Wisconsin system.

Mr. McCUMBER. I call the attention of the Senator from Minnesota to the fact that Judge Sanborn everywhere refers to the system as being fraudulent, in his opinion. I will ask the Secretary to read again from pages 13 and 14.

The Secretary read as follows:

Under these precedents it seems clear that the Wisconsin legislature might lawfully prevent fraudulent changes of grades, arbitrary or fraudulent "dockage" practiced by warehousemen, and shipping out at a higher grade than that on which the grain was taken in. Such regulations would be in aid and furtherance of commerce, by protecting the rights of both buyer and seller. Thus many objections to the Minnesota system, and frauds practiced under it, might be cured. Such regulations, although indirectly affecting interstate commerce, would be wholly local in their character and would undoubtedly be sustained. Such regulations might even include inspection and weighing, for the purpose of detecting and punishing fraud, preventing changes of grades, fraudulent "dockage," storage and resale on the weights found before such dockage occurred, etc. All this would be local regulation to protect the public from fraud and imposition and as such would not be unlawful regulation of interstate commerce.

Mr. McCUMBER. Again, on page 15.

The Secretary read as follows:

However justified or necessary these emphatic provisions may have seemed to the Wisconsin legislature, in order to destroy what appears from the evidence to be a fraudulent system, upheld by the combination of great interests, including buyer, seller, warehouseman, and carrier, they undoubtedly not only operate as a serious obstruction to commerce, as now carried on, under what should be one uniform system, but there is also disclosed a commercial conflict of considerable proportions between two States. Wisconsin is attempting to build up her trade at the expense of Minnesota, and the people most interested have taken and are now employing radical, if not unlawful, measures to thwart this attempt and keep this commerce in its accustomed channels. With the view of preventing fraud and protecting the public, the Wisconsin legislature has enacted that all sales of this large product shall be made only in Superior, and delivery, storage, and resale only under her inspection laws.

It is also clear to me that so important a matter as fixing the grades by which grain in interstate transportation can be sold, and without which it can not be sold on any large scale, admits of one uniform system or plan of regulation, and only one, and therefore falls within the exclusive power of Congress. Certainly it can not readily be bought and sold according to two systems of inspection. It can not be bought by one and sold by another. Conflicting State systems would only obstruct. (State Freight Tax, 15 Wall., 243; *Welton v. Missouri*, 91 U. S., 280; *Henderson v. Mayor*, 92 U. S., 273.) Like the regulation of tolls on an interstate bridge, the fixing of a standard of sale for grain moving in interstate commerce admits of only one uniform system. (*Covington Bridge v. Kentucky*, 154 U. S., 204.)

Because, also, the control of this great grain trade has become a matter of rivalry and commercial conflict between two States and agencies acting under their respective laws leads me to think that the subject is one of national and not State regulation.

How is it possible to market or sell grain under more than one standard or system of grading? It would seem to be most inconvenient, if not almost impossible, to make use of more than one standard, not only for sale, but storage and the convenient transfer of warehouse receipts. One system being thus required, sales in interstate commerce can only be regulated by Congress, except by mutual acquiescence of those taking part in the transactions. (State Freight Tax, 15 Wall., 232.)

Mr. McCUMBER. Mr. President, I think that is all I care to have read at this time. I will, however, ask that the opinion be printed as a Senate document.

The PRESIDING OFFICER (Mr. Long in the chair). Is there objection to the request of the Senator from North Dakota? The Chair hears none, and it is so ordered.

Mr. McCUMBER. In the closing which has been read, Judge Sanborn indicated the only proper remedy to cure these defects, and that is by a national law, a national standard, something that would be uniform and could be adopted by all the States and could be the basis of sales in any State and in any city of the United States.

Mr. President, I think that that is the only remedy. I had

this read so as to justify my assertion that I had other than my own opinion, other than the reports of the State grain and warehouse commission of the State of Minnesota to justify the fact that the system worked a great fraud and a great hardship. On that proposition, I think we have the concurrence of Judge Sanborn, who heard the evidence and tried this case.

The amendment which I have offered here is simply, as I stated before, to make effective the amendment already adopted by the committee. The amendment which the Senate has inserted simply authorizes or directs the Secretary of Agriculture to take samples and to analyze them. The purpose of that analysis must necessarily be to insure information to the purchaser or to the shipper. If it is to be hidden away by the Agricultural Department, no great benefit can be derived. I can see no objection, inasmuch as you are required to take the sample, inasmuch as you are required to analyze it, to make a certificate stating what that analysis is and what the grade is and sending that certificate to the foreign purchaser or consignee, that it may guide him in his purchase, and also mailing it to the consignor or shipper for his guidance.

What injury is to follow from the present system? What is the trouble? The first is this: We are sending out continually to foreign countries shiploads of grain bearing a certificate that is a fraud, because the certificate places the grain at a higher grade than it really is entitled to. In most cases it is due to the mixing of a lower grade with a higher grade. In many instances my belief is it is an unjust and unwarranted grading, higher than the particular article is entitled to. The result of that is, as I stated before, that our grain is becoming discredited in every foreign market.

I wish to have read short extracts from a letter from our consul-general at Marseille, Mr. Robert P. Skinner, and also two letters from wholesalers or dealers in grain at Marseille. I simply ask that that portion be read which I have marked.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

It is of the highest importance that our relations with our French wheat customers be based upon mutual confidence.

Three protests have been formally lodged with me in regard to the condition of a cargo of wheat arriving from New Orleans; a like complaint has been made against wheat from Galveston, and an English trade paper, noting a communication from its Marseille correspondent, says: "We may add that London importers have been making similar complaints." These facts suggest that whatever accuracy the criticisms may possess, they are not confined to an isolated case or to a single city.

As my correspondents explain, wheat from New Orleans is purchased in Marseille on the faith of the certificates of inspection issued by the board of trade of that city. The exporter appears to have no responsibility for quality of the grain beyond the production of an "official" certificate of inspection, which being in proper form binds the buyer to accept the consignment. It necessarily follows that unless the trade organizations issuing certificates exercise proper care in making the statements conform to the facts they must lose credit and drive business into other channels. These certificates have been accepted the more willingly in certain quarters because of the impression that an "official" certificate was a document issued by the United States Government. In France boards of trade and chambers of commerce derive their authority from the Government itself, and the belief that similar conditions prevailed in the United States was natural and no doubt led in the first place to the lodging of complaints at this consulate.

My own interest in the subject arises from no wish to prejudice the question of fact in the cases actually presented, but from a desire to show the imperative necessity of preventing all cause for criticism of our export trade.

MARSEILLE, December 8, 1899.

HON. ROBERT P. SKINNER,  
United States Consul.

DEAR SIR: We beg to inform you of the complaints which have been made here recently against the careless manner in which certain Galveston and New Orleans grain inspectors execute the duties intrusted to them. The confidence placed in them has been betrayed, and, while we ourselves do not believe that there is anything but carelessness at the bottom of the recent occurrences, we have repeatedly been obliged to listen to accusations of fraud against these inspectors by local millers and dealers, who believe that they have been prevailed upon to issue false certificates. We are doing our best to dissipate this feeling, but the fact remains that confidence can no longer be placed in the certificates of inspection issued in the above-mentioned ports.

In the interest of American commerce, we venture to suggest that your observations on this subject directed to the proper authorities in the United States will not be amiss.

Yours, very truly,

BENDIT LIMBURGER & Co.

MARSEILLE, December 9, 1899.

THE CONSUL OF THE UNITED STATES,  
Marseille.

SIR: I send you a sample\* from a consignment of hard winter wheat, No. 2 Kansas, discharged from the steamship *Olbia*, with a certificate of inspection from the inspector at New Orleans.

I call your attention particularly to the fact that for a long time the wheat as delivered has not at all corresponded with the guaranty of the certificates. The grain which I have just received leaves a great deal

\* Transmitted to the Department of Agriculture.



to be desired. It contains a large proportion of foreign matter, and the number of small kernels is much too large. Finally, and most grave, this wheat is not perfectly sound. It has suffered before shipment, as proved by the "burned" grains found in large quantities. Should I be called upon to classify this wheat, I would not hesitate to say that it is inferior by from 10 to 15 per cent as compared with standard hard winter No. 2 Kansas, such as should be delivered after examination by an official inspector.

You can understand how my trade interests must suffer from such a delivery, and future relations will be exceedingly difficult if a change for the better is not made in the existing system of verification at the port of shipment. For my own part, I prefer to renounce further operations until a new order of things is established, since to do otherwise is to submit to heavy loss.

GUILLAUME ARTAUD.

Mr. McCUMBER. The Senate can see from that letter what is almost universal in every one of the foreign markets for our grain. The complaint comes from everywhere that the shipments do not measure up to the standards of the grades under the laws of the States in which they are made.

Great injury follows from this. I know in a letter from the Board of Trade of Wisconsin, I think it was last year, they quoted prices of American North Dakota No. 1 northern wheat and Canadian No. 1 northern, which had even been frosted. The latter was lately sold in foreign markets at 5 cents a bushel more than ours simply because the purchasers had confidence in its grading and had no confidence in our grades. As everyone knows, when the grain goes to a foreign country the millers who are buying it naturally inspect it.

Now, some one gets the benefit of this. The party who gets the benefit is always the middleman, as is shown by the opinion, a portion of which I have just had read.

While I am on this subject I wish to read a portion of a letter that directly affects my own State. We are commencing now to raise a great amount of macaroni wheat in that State, and it is to the credit of the Secretary of Agriculture that we have secured a species of grain which brings a good price, and which is one of the best kinds of macaroni grain that is raised anywhere in the country. It is grain that will stand more of moist weather and is less liable to be injured even by a dry spell than our other wheat. It is going to become an important wheat in our country. A single shipment of that wheat to a Mediterranean port, where the macaroni is used so extensively, would destroy for many years the reputation of that grain.

Here is a letter that was written last November. It is from Mr. H. T. Fowler, of the "Alger-Fowler Company, shippers and exporters, grain and grain products, Board of Trade, Superior, Wis." I will read only a portion of it. In this letter he says:

The largest cargo of wheat ever loaded was put on the steamer *Wolvin* a day or two ago. Its cargo goes to Mediterranean points. It is all durum wheat and the Minnesota officials graded it No. 2 durum. Our inspectors inspected it as No. 3 with a dockage, and say it was a very poor No. 3.

It is undoubtedly true that that wheat was taken in in Minnesota as No. 3, but when it was shipped out and put on board of the ship it went out as No. 2.

Our inspectors inspected it No. 3 with a dockage and say it was a very poor No. 3. This is of more importance to you than would appear at first as your State raised fifteen millions of this variety and next year they may raise fifty millions.

I will mail you a portion of the official sample and you can readily see that it is smutty and was undoubtedly bought of the producer as rejected and at 10 per cent discount.

Next year Mediterranean ports will buy this wheat on the basis of the quality of these poor dishonest cargoes, and it will cost the great State of North Dakota, say, \$5,000,000, and as we have just begun exporting this wheat the mention of American macaroni wheat will make foreigners mad—and justly. It would be a good thing for your State if the foreigners were advised of the character of this wheat through the Bureau of Commerce. You can see where this crooked inspection lands the agricultural interests of your State. When you get a law passed the elevator ring will try to have their men appointed.

Now, I ask the Senator from Vermont—he need not answer it now, but in his own good time—what objection there can be to extending the amendment, which he has already adopted, so that the person making this inspection which he provides for can make a certificate which will guide the purchaser and will have the stamp of verity on it upon which any purchaser in any foreign country can rely? I can see no possible harm that can follow. I can see that it will to a great extent remedy the wrongs that are being committed, such as are indicated in the letter which I have just read.

Mr. HANSBROUGH. If my colleague will allow me, I will state that I have examined the amendment he proposes to the committee amendment. I wish to say for the information of the chairman of the committee, who has not perhaps paid as much attention to this subject as my colleague and myself, that the amendment proposed by my colleague is entirely acceptable to me, and I think it ought to be adopted in conjunction with the committee amendment.

Mr. McCUMBER. Then, Mr. President, I will close my remarks after having one other letter from our consul-general

at Marseille read. It appears in the statement made before the Committee on Agriculture and Forestry. My object in having it read is to show the lack of uniformity in the grading of our export wheat. What we call a certain grade of durum wheat in Minnesota and in North Dakota is called macaroni of a different grade when it reaches New York. And if it goes directly from Duluth it goes to a foreign port as one kind of grain. If it goes from the port of New York it goes to the same location, say Liverpool, under a different grade and a different name, and as has been very succinctly stated in the opinion of Judge Sanborn, that very matter of different kinds of grades and standards of the same grade is a great hindrance in interstate or foreign commerce.

I will ask that the letter on pages 13 and 14 and a part of 15 be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

AMERICAN CONSULATE-GENERAL,  
Marseille, December 7, 1905.

The ASSISTANT SECRETARY OF STATE,  
Washington, D. C.

SIR: I have the honor to acknowledge receipt of a dispatch from the honorable the Secretary of Agriculture, dated November 16, in regard to macaroni wheat and certificates of inspection issued thereon. The very valuable information on this subject has been communicated to the chamber of commerce and to the interested importers, and being in the form of an authentic statement, has cleared up some doubts which have constituted an annoying interference with the development of the American wheat trade in this port.

I regret to state that the same difficulties in varying forms will be likely to come up from time to time so long as the issue of grain-inspection certificates is subject to no central control, vested either in some appropriate department of the Government or in some responsible voluntary association of the various commercial bodies now controlling not only our commerce in wheat, but many similar commodities, the aggregate exports of which reach many millions of dollars.

There is no substantial difference between the guaranties, or rather the absence of guaranties, on the face of grain certificates issued at Duluth and New York, although wheat exported from New York reaches the port of delivery in the hold of the steamer into which it was loaded, while wheat exported from Duluth is necessarily transhipped a number of times before reaching the foreign consumer. In the case of interior shipments the foreign buyer has no means of absolutely knowing that the grain described in his certificate is the same grain actually delivered to him in Marseille. The logical result of this condition is that the certificates issued at interior ports are accepted with hesitation, and that in many cases the buyer stipulates that he shall have a New York certificate, with the consequent effect that interior exporters are at a disadvantage, and a tendency to concentrate export business at New York or other final ports of departure is unwittingly encouraged and sustained.

In the information supplied by the Secretary of Agriculture it is stated that "the New York macaroni wheats are supposed to conform with the Duluth grades of durum." The buyer residing 5,000 miles from the port of shipment, who secures no commercial guaranty, and merely an assurance conveyed upon a scrap of paper, is dissatisfied with grain standards which are merely "supposed" to conform with each other. The Minnesota board of grain appeals, organized under State law, has thus established certain grades of grain, to which the certificates issued at Duluth and St. Paul are supposed to conform:

"No. 1 durum: Shall be bright, sound, and well cleaned, and be composed of durum, commonly known as 'macaroni wheat.'"

"No. 2 durum: Shall include wheat that is bleached and shrunken."

"No. 3 durum: Shall include all wheat that is badly bleached, smutty, or for any other cause unfit for No. 2."

The New York Produce Exchange, in accordance with the grain rules, thus describes its standards:

"No. 1 macaroni wheat: Shall be bright, sound, well cleaned, and be composed of what is known as 'rice' and (or) 'goose wheat.'"

"No. 2 macaroni wheat: Shall be inferior to No. 1, but sound, and be composed of what is known as 'rice' and (or) 'goose wheat,' and may include wheat that is bleached and shrunken."

"No. 3 macaroni wheat: Shall include all wheat badly bleached or smutty, or for any other cause unfit for No. 2."

In the foregoing typical instances we find not only a confusing difference in the name of the wheat described, but differences of language much more perplexing. The Minnesota standard describes durum, commonly known as "macaroni wheats," which we all know to be product of certain imported Russian and Algerian seed. The New York descriptions of what is presumably the same grain speak of what is known as "rice or goose wheat," which are wheats known commercially in the United States for years before macaroni wheats were ever seriously considered. At New York there are three grades of these hard wheats, and in Minnesota there are four.

Similar differences can be discovered throughout the long list of American cereals. Minnesota No. 1 white winter wheat is described by the Minnesota board as "sound, well cleaned, reasonably plump, and composed of the white varieties." According to the New York Produce Exchange, No. 1 white winter wheat "shall be sound, plump, dry, well cleaned, and weigh not less than 60 pounds, Winchester standard."

In the United States, where buyers are familiar with every phase of the wheat question, these variations may seem to be comparatively unimportant, but in France when one board says that wheat shall be dry and another omits this word altogether, when one board speaks of Winchester standard and another board omits this requirement, when one board speaks of plump wheat and another says that the same wheat need be only reasonably plump, the first effect of an unsatisfactory delivery is the refusal of the miller to take the grain, followed by the appointment of experts and all the other complications incident to reasonable doubt and distrust.

It is asserted, in addition to the foregoing, that the actual deliveries of macaroni wheat in Marseille of the same nominal grade have varied to a very substantial degree, and while a rise in the market and serious

local need have prevented any unpleasant litigation up to this time, it is quite conceivable that if the buyers had faced different market conditions the situation might not have been the same.

The Secretary of Agriculture has been so successful in securing the cultivation of hard wheats suitable for the European markets that I trust he will now be equally solicitous in regard to the correction of the evils which I have described in some detail. I am personally convinced, and have so reported on several different occasions, that grain and other standards should be fixed for the whole country by the National Government, and that deliveries based upon certificates should conform to standard samples, which might properly be deposited in the important commercial consulates of the world, but whether the result be reached in this way or by voluntary organization, something should be done to improve the situation as it stands to-day.

I have to thank the Secretary of Agriculture for his appreciated observations personal to myself.

I am, sir, your obedient servant,

ROBERT P. SKINNER,  
Consul-General.

Mr. McCUMBER. Mr. President, that letter needs no comment; it explains itself. It must be apparent to anyone who has the slightest knowledge about our export trade in grain that it is absolutely necessary that we have uniformity of standards and that those standards be just. We already have a stamp upon every ham that goes into our export trade. It carries with it confidence, because it is the stamp of the Government. I am certain that in the export of wheat, that portion, at least, which is examined under this bill, it will be of great benefit to our wheat trade if it goes into the foreign market accompanied by some certificate showing its proper grade.

I wish to say, in closing, that I hope some time in the future—and in the near future, considering the exigency of this matter—that I may be able to have the attention of the entire Senate directed toward these conditions, which appeal to me for some character of remedy. I wish to reiterate what I have stated before to the Senator from Minnesota [Mr. CLAPP], that I do not charge any one individual with any particular offense. I simply know that there is a wrong somewhere. It is pointed out, it is shown in the reports, and the result is very injurious to the people of my State, and I hope that we will be able to remedy it. We want honest and fair grades; we want honest weights and measures; we want honest dockage. No company or corporation should object to that or should object to a proper system to secure that result.

#### PANAMA CANAL.

During the delivery of Mr. McCUMBER's speech, at 2 o'clock p. m.,

Mr. KITTREDGE. I move that the Senate proceed to the consideration of the bill (S. 6191) to provide for the construction of a sea-level canal connecting the waters of the Atlantic and Pacific oceans, and the method of construction. My object is to have the bill made the unfinished business, with the understanding, of course, that it will not interfere with the pending appropriation bill.

Mr. McCUMBER. The Senator, I understand, wishes to have the bill taken up now, and then passed over.

Mr. KITTREDGE. I will then have it laid aside.

Mr. McCUMBER. All right; I yield for that purpose.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Senate proceed to the consideration of a bill which will be read by title.

The SECRETARY. A bill (S. 6191) to provide for the construction of a sea-level canal connecting the waters of the Atlantic and Pacific oceans, and the method of construction.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to.

Mr. KITTREDGE. I ask unanimous consent that the bill be temporarily laid aside.

The PRESIDING OFFICER. Consent is granted, without objection.

Mr. KITTREDGE. I thank the Senator from North Dakota very much.

#### AGRICULTURAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907.

Mr. CLAPP. Mr. President, I do not feel at this time equipped with facts and data sufficient to analyze the charge made by the Senator from North Dakota [Mr. McCUMBER]. I understood him to charge that the commission men were appointed by and dominated by the elevator companies of the State.

Mr. McCUMBER. Let me correct the Senator right now upon that point, if he will allow me.

Mr. CLAPP. Certainly.

Mr. McCUMBER. That is not the case. I stated that in my opinion—and that opinion is supported by the opinion of

those in whom I have entire confidence, and is generally accepted to be the case—the chief inspector is appointed through the influence of the great terminal elevators and the purchasers of our wheat, and that the chief inspector appoints his deputies, who are, of course, responsible to him. That has nothing to do with the State commission. The commission makes fair and honest reports, I think.

Mr. CLAPP. In answer to that, I can only say that there are two political parties in the State of Minnesota, and I hardly think that the control of the chief inspector by the elevators of that State would long pass unchallenged by the political party not in sympathy with the appointment.

As I stated before, it has been some years since I was familiar with these matters from a personal standpoint. At that time it was an established fact that the Minnesota standard was recognized in Liverpool, unquestioned and unchallenged.

Now, we all want the same thing. We want a proper system, a just system, and a system fair to all. Our State is a great agricultural State, and it would be anything but wise, proper, or patriotic to stand for legislation that was not in harmony with their interests.

But I want to call the Senator's attention to this fact. Perhaps I am unusually warm in the advocacy of it. A large portion of our State for years has been and is to-day dominated by the Federal Government. I think our people are gradually getting tired of that. I think our people prefer self-government. It may be, sir, that in the process of time we will have to take the map of the United States and wipe out the State lines. It may be, in the process of time, that every function of the State will have to be abdicated and surrendered to the General Government, and I sometimes think that, in a measure, inevitable; but before we do that, I think we ought to proceed with an investigation beyond the scope of a mere ex parte statement made here in the Senate, however much credit and credence we should be disposed to give to the Senator from North Dakota [Mr. McCUMBER].

If a commission is to inspect grain, and if improper influences are brought to bear upon that commission, I submit that it is far easier for the farmer to control that commission when the commission and the inspector are only one remove from the farmer's vote than when they are several removes under the Federal Government. If it is true that these great interests can influence this inspection as it is now administered, I for one fail to see where the farmer's remedy would be when that appointment was removed to the Federal authority instead of being under the State authority.

The people of Minnesota have it in their power to-day, if any such abuses exist as it is charged exist, to make a change in the personnel of that commission; but if these influences now pervade administrative quarters, they would be far more powerless if the appointment came at the hands of the Federal Government. It may be that the people out there are ready to surrender and to abdicate their control of this matter, but for one I do not propose to stand here and favor that until I know the people of my State desire it.

It is very strange indeed, if all these things exist, that we have not heard of them. In our legislature both parties are represented, and this system could have been attacked. Some years ago there was an investigation, but of late years I have not heard of any serious complaint of this system. If it is true that there is complaint, if it is true that it may be necessary at some time to remove this inspection and turn it over into the hands of the Federal Government, I submit to the Senate it ought not to be done until a thorough investigation on this subject has been made—something more than this mere ex parte statement to which we have listened this morning and the letters which have been read to go into the Record upon this subject.

I am inclined to think, Mr. President, that it may be necessary, perhaps, at some time to carefully draft a law, if we can do so within constitutional limitations, to regulate this subject where it comes in conflict between two States. I am not certain but that may have to be done; perhaps it would be wise to do it; but it should be done with a great deal of care and caution and after full inquiry as to the scope of our authority to do it.

But I do submit again, Mr. President, that for the present, upon this hearing, it is hardly the wise thing to take this inspection from the State and turn it over to the Federal Government.

Mr. McCUMBER. Mr. President, the Senator from Minnesota has certainly not listened to my entire argument, if he is supposing that I am asking that the bill which I introduced for general national inspection be incorporated into the pending measure.



Mr. CLAPP. Mr. President, after the Senator from Colorado [Mr. PATTERSON] had asked him a question, I asked the Senator from North Dakota a question purposely to ascertain whether it was at this time understood that that was what the Senator from North Dakota desired to do.

Mr. McCUMBER. I have had my amendment printed. It only affects the matter of making a certificate where an inspection is already provided for on export. It goes a little way in the right direction.

I want to correct the Senator from Minnesota [Mr. CLAPP], if he thinks the people of his State have never had this matter under investigation before and that they have never said anything about it. I do not know what influences may govern the press of the great cities of Minnesota; I do not know what their sentiments may be; I do not know to what extent they have considered this matter; but I know that they have considered it to some extent. All the great newspapers of the Senator's own State have considered it, and many of the smaller ones, as I know, for I live on the border line of the State of Minnesota.

There was a committee appointed by the legislature of the State of Minnesota to investigate this same matter about seven or eight years ago—in 1899. Now, here is a little information from that report. The report of this committee concludes its review of the testimony taken with the following charge—

Mr. CLAPP. I stated that this matter had been taken up some time ago.

Mr. McCUMBER. I understand; but I want the Senator from Minnesota to understand what the charge is. They say:

From this it appears that nearly one-third of the crop has been marketed each year before the farmer is enabled to get the grade that his crop merits.

Somebody does wrong if that is true, and I have not heard that this system has been changed. I do not think the farmer should be robbed of one-third of his crop before he gets a just grade. I am assuming that that investigation was fairly and properly made; and, as I have said, it was made in the Senator's own State. Again this committee say:

That early in the season the inspection made by your inspectors was very severe against the producer, and that subsequently—later in the season, somewhere about the middle of October, and from that on—much more liberal grades were given.

I think before the middle of October practically four-fifths of our grain goes into the market, though I may be in error about that. The committee also state in this same report that:

The defense made by the chief inspector when called to the witness stand was, in his words: "We take the benefit of the doubt until we get started, because we do not know what we are getting into." Another of his reasons was: "In order to have a little margin, one which we can carry our crop through on without exercising apprehension on the part of eastern buyers."

They are not as careful about the apprehension on the part of the producer and the seller of this grain.

May I call the attention of the Senator from Minnesota right here, to show that the abuse still exists, to a table taken from the report of the State inspector of Minnesota for 1904, showing that there were of No. 1 northern, received by the elevators during that year 12,401,897 bushels of wheat, and there were shipped out of the same elevators 18,217,789 bushels, or an excess of shipments of that grade of grain over receipts of 5,815,892 bushels.

I call attention to the fact that there were 10,295,172 bushels of No. 2 northern received, and only 6,723,732 bushels were shipped out. Worse than that, there were of No. 3 northern 2,616,065 bushels taken into the elevators and only 283,299 bushels shipped out. That grain went through a physical metamorphosis and was immediately changed by a certificate from No. 3 rejected and No. 2 northern to the higher grade No. 1 northern, which is the highest grade of northern grain. That is from the 1904 report.

Here is the report of the Minnesota Railroad and Warehouse Commission for the crop year ending August 31, 1902, for Duluth. The Duluth elevators took in 15,187,012 bushels of No. 1 northern and they shipped out 19,886,137 bushels, or an excess of 4,699,125 bushels; and in the same time they took in of No. 2 northern 19,693,454 bushels and only shipped out 15,178,990 bushels. They took in of No. 3 northern 7,035,133 bushels and only shipped out 1,971,355 bushels. In other words, six-sevenths of that No. 3 northern was converted into and became No. 2, or a higher grade, when it was shipped out, much of it going into No. 2 and some of it into No. 1.

This is not due to dirt or foul stuff that is in the grain, because that is taken out in the dockage. The small undeveloped kernels and all the foul stuff is already taken out and allowed for. The Senator can see that there must necessarily be an injustice to the producer of that grain. I believe the Senator from Minnesota would like to see that corrected, not only for the great number of farmers in the State of Minnesota, if it be

true—and I have read from the record of the warehouse commission of that State—I believe he wants that corrected if it is a wrong to the people of his State, and I want it corrected, because I know it is a wrong to the people of my State.

Mr. HANSBROUGH. Mr. President, just a few words in reference to the pending amendment reported by the Committee on Agriculture and Forestry contained in the bill now before the Senate. My colleague [Mr. McCUMBER] has very accurately described the conditions which prevail in the wheat-growing States of the Northwest and the conditions under which the products of the farms of that section are sold to the consumer. Those conditions are almost intolerable. The greatest injustice has been visited upon the grain growers of the Northwestern States for years and years. Not only that, Mr. President, but there has been a great injustice visited upon the foreign buyers of our grain, as I shall show a little later on from letters which I have here. I think I will introduce those letters now so that I shall not have to go back to that point later.

I have here, furnished to me by the Department of Agriculture, a letter signed by John Martin, secretary of the Glasgow Corn Trade Association, dated January 12, 1906, which I will ask the Secretary to read.

I will also ask the Secretary to read, in that connection, a letter addressed to our Secretary of Agriculture, which I send to the desk.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

GLASGOW CORN TRADE ASSOCIATION,  
BAL TIC CHAMBER, 50 WELLINGTON STREET,  
Glasgow, January 12, 1906.

The SECRETARY NORFOLK CHAMBER OF COMMERCE,  
Norfolk, Va.

DEAR SIR: My committee had under consideration letters from Messrs. McKinnon & McDonald and Mr. William Maclay, members of this association, with reference to an arrival of No. 2 mixed corn per steamship *Kastalia*, carrying Norfolk Chamber of Commerce grain-inspection certificates. Messrs. McKinnon & McDonald say "this corn has arrived soft, dirty, and heated, busheling 52 to 53 pounds, whereas corn by the same vessel, loaded at the same time and certificated at Newport News, discharged in good condition and busheled 56 pounds. Fifty-six pounds is also the mean weight of any shipments of new corn which have arrived here this season from other ports." A member of my committee had Indian corn, ex steamship *Kastalia*, analyzed, with the following result:

	Per cent.
Prime corn, moisture:	
In sample, as received before grinding	16.16
In sample, as received after grinding	16.16
Soft corn, moisture:	
In sample, as received before grinding	19.65
In sample, as received after grinding	19.50

My committee instructs me to point how destructive of all respect and consideration for your certificates a shipment of this sort is, and is of opinion that cases such as this call for most thorough inquiry on your part.

Yours, truly,

JOHN MARTIN, Secretary.

P. S.—As this is urgent, I respectfully ask for a reply by return.

GLASGOW CORN TRADE ASSOCIATION,  
BAL TIC CHAMBER, 50 WELLINGTON STREET,  
Glasgow, January 13, 1906.

MINISTER OF AGRICULTURE, Washington.

DEAR SIR: I inclose copy of letter sent to Norfolk Chamber of Commerce, protesting against the quality of certain parcels of Indian corn arrived per steamship *Kastalia*, carrying Norfolk Chamber of Commerce grain-inspection certificates.

My committee will be glad if you can see your way to take up this matter, as they feel it to be of the very utmost importance in the interest of the trade generally.

Yours, truly,

JOHN MARTIN, Secretary.

Mr. HANSBROUGH. Mr. President, here is a direct plea from the foreign buyer of American grain to our Secretary of Agriculture for protection against the character of inspection which has been so thoroughly described here this morning.

Mr. LATIMER. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. HANSBROUGH. I yield.

Mr. LATIMER. I desire to ask the Senator a question. Does he think it is the duty of the Government of the United States to enter into all the business transactions of a private citizen, and, through an inspection, to prevent fraud in the selling of apples, in the selling of wheat, and of every other article that is put on the market by the private citizen? As I understand, the wheat growers put their wheat on the market. It is claimed they have been defrauded by somebody, and therefore it is the duty of the Government of the United States to send an agent out after that wheat, follow it to the person to whom it has been sold, and notify that person that the wheat is not exactly up to the standard, and thus interfere with private business and interfere with the business interests of the country.

Mr. HANSBROUGH. Mr. President, that question has been

asked a great many times in this body since I have been a member of it. It has been answered but in one way, and that is, when the emergency arises, the work should be done by the steady hand of the Federal Government. I ask the Senator if we have not done that with respect to American meats, and if the system is not working as we desire it should work, with great benefit to the producers of this country?

The average exports of the principal cereals of the United States for the five years ending June 30, 1904, were as follows—and these figures are significant:

	Bushels.
Barley	11,500,000
Buckwheat	200,000
Corn	107,000,000
Oats	18,800,000
Rye	2,600,000
Wheat	109,400,000
Flax	2,800,000

I do not doubt that every bushel of this American-produced grain was discredited through the system of inspection prevailing in this country.

Mr. President, in regard to this amendment, I want to say that my colleague, at the last session of Congress, introduced a bill covering the question of grain inspection. It was, of course, an entirely new subject. My colleague discussed the question here very intelligently and very thoroughly. At the time the bill was referred to the Committee on Agriculture, it went, as is the custom of that committee, to the Secretary of Agriculture for a report, not that we desired to ascertain whether the Secretary agreed that the bill was proper or not, but we desired to find out whether he could administer such a bill in case it became a law. It is unnecessary here to make reference to the report of the Secretary with regard to the bill, but this is what happened. The introduction of that bill and the speech made by my colleague aroused criticism and investigation, resulting not only in the Department of Agriculture here, but all chambers of commerce all over the country taking notice of this very important question. The result was that when this session of Congress convened we were ready to take up the question and to give it consideration. As a member of the Committee on Agriculture, it seemed to me that we could insert in this bill a provision under which at least a part of the work desired to be accomplished by my colleague, and covered in the bill which he introduced, could be done. After conference with various officers of the Agricultural Department, Senators, and others, I introduced an amendment which will be found in the bill now being considered. That amendment is as follows:

To enable the Secretary of Agriculture to establish, at such points of export as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, \$15,000, or so much thereof as may be necessary; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments from time to time, and the reports so made shall serve as a basis for the fixing of definite grades, to be determined by the Secretary of Agriculture as the evidence at hand may warrant.

Let us see what would happen if that became a law—and I think it ought to become a law. The result would be that the Secretary of Agriculture would probably establish a laboratory at each of the three principal export points of the United States—New York, San Francisco, and New Orleans—and after investigation made of the grain proposed to be exported from those points, the Secretary would issue a certificate as to the grade of such grain. I venture to say, Mr. President, that so soon as we enter upon this business no foreign buyer of grain will consent to accept a cargo of grain shipped from this country unless it is accompanied by a Government certificate. I venture the further suggestion that, under the provisions of this amendment, no shipper of grain in this country will think of sending a cargo of grain abroad unless it is accompanied by the Government certificate, because his own certificate and his own inspection already stand condemned before the country and before the world.

I want to have read at the desk what has been said with respect to this amendment by Doctor Galloway, Chief of the Bureau of Plant Industry of the Agricultural Department. I will say that Doctor Galloway is well known to most Senators, indeed, to all Senators. He is one of the ablest men in that Department, a man thoroughly devoted to and thoroughly conversant with his duties. At my suggestion, the Doctor dictated a statement with respect to this amendment and what its operation would be if enacted into law. I ask that his statement may be read.

Mr. LATIMER. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. HANSBROUGH. Yes; I yield.

Mr. LATIMER. As I understand him, the Senator has reference to the amendment adopted in the committee?

Mr. HANSBROUGH. Certainly.

Mr. LATIMER. Well, there is no objection to that, so far as I know.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. HANSBROUGH. I yield to the Senator.

Mr. PATTERSON. The two Senators from North Dakota have disclosed a condition in three States—North Dakota, Minnesota, and Wisconsin—that is startling, and should startle both the country and the Senate. In ten years the farmers of those States have been swindled out of 27,000,000 bushels of wheat. They have not only been swindled out of that much wheat, but they have been swindled in the grade of their wheat by being paid for their wheat as of an inferior quality, when they should have been paid the rating and the pay that goes to a higher quality. This stupendous system of fraud is carried on through the agency of State officials; at least, it must be with their connivance and knowledge.

Mr. HANSBROUGH. And handling an article of interstate commerce passing from one State to another.

Mr. PATTERSON. And so incurable and so deep rooted is this fraudulent system of which the farmers of those three States were the victims that the Senators feel compelled to apply to the Federal Government for protection, apparently being unable to secure the necessary protection from the officials or the people of their own States. Really, what I wanted to ask the Senator about is this: The grain that goes into these elevators is intended—or perhaps I had better ask the question, Is it or is it not wheat that is intended for foreign shipment, or are these frauds practiced not only upon wheat for export, but also upon wheat raised by the farmers of those States which is subsequently used for domestic purposes?

Mr. HANSBROUGH. The wheat that goes into the large terminal elevators referred to by my colleague is both for export and domestic consumption, but largely for export.

This amendment deals with export grain alone. I have no doubt, I will say to the Senator from Colorado, that just so soon as this new process of inspection is put into operation it will be extended, by the demands of the boards of trade and commercial bodies themselves, because as soon as you place a Government certificate on a cargo of wheat or a consignment of wheat that alone gives to that cargo or that consignment standing in the business world, and the commercial bodies themselves will ask in a very short time, I believe, that all wheat shall be inspected and graded by the Federal Government.

Mr. PATTERSON. I doubt if any of the revelations of official fraud and graft that the last year has produced could be considered as startling, almost as horrifying, as have been the revelations made by the two Senators from North Dakota.

Mr. HANSBROUGH. I do not think the Senator overdraws the picture.

Mr. CLAPP. Will the Senator yield to me for a moment?

Mr. HANSBROUGH. I yield to the Senator from Minnesota.

Mr. CLAPP. Were not these same figures practically given by the Senator from North Dakota a year ago?

Mr. McCUMBER. They were given by myself two years ago, and I am surprised that they did not equally startle the Senator at that time.

Mr. CLAPP. A few days later, let me tell the Senator from Colorado, the figures were filed here by the railroad and warehouse commission, if I remember correctly. The matter was exploited in the Senate two years ago. The junior Senator from North Dakota states that the boards of trade took it up, and yet with these revelations there has been little or nothing heard of this matter from the day that the Senator from North Dakota made the statement two years ago, or a year ago, whichever it was, until now.

Mr. HANSBROUGH. The trouble about that is this: The Senator from Minnesota, who is one of the most industrious members of this body, has since that time almost continuously been engaged in regulating railroad and Indian affairs, and I fear that he has not given to this great subject the attention to which it is entitled, not because it is not his desire to do so, but simply because he has not had the time.

Mr. McCUMBER. May I suggest also that the Senator must have stopped reading the papers, because I have read a great many articles on it in different papers, and I have them now, and a good many from papers within his own State.

Mr. CLAPP. I confess to some surprise, after the statement made a year ago and the answer made by the commission, that there has been nothing, so far as I can recall now, to warrant me in a belief in the accuracy of the figures presented this



morning by the Senator from North Dakota. I am as ready as he is, while I regret this constant turning over of things to the Federal Government, to put this thing in the hands of the Federal Government if I can believe that our people want it, if I can believe that they believe, waiving my own judgment, that it would be to their interest to do it. I do not want to be misunderstood on this question.

Mr. HANSBROUGH. Mr. President—

Mr. McCUMBER. I ask my colleague to yield to me for a moment.

Mr. HANSBROUGH. I yield.

Mr. McCUMBER. I have kept in touch with the history of matters pertaining to this subject, and I think the Senator is in error in supposing that the commission has ever filed, and made a matter of record, any answer to the argument which I made at that time. I myself, receiving letters from some of the elevator companies, in which they gave their own figures in an attempt to refute a statement that was published in one or two of the Wisconsin papers, in justice to them, as they thought they ought to be heard, filed their reply and made it a part of the record. But there never has been any attempt on the part of anyone to answer the propositions which I then made and which are contained in the figures I have since read to the Senate.

Mr. PATTERSON. Mr. President, the most startling thing about it is not the enormity of the frauds, nor the length of time their perpetration has been in existence. It is not the number of people who suffer from them, but the fact that being public property, being given to the public through the public press and from the halls of Congress, the people of the States submit to them. The wonder is that the administrations in those States, that stand by, with the power to remedy the evil under their control, have not been spewed out by the people and more honest men put in their places, men who would see that honest men filled the positions to protect the farming communities of those three States.

Mr. HANSBROUGH. I make no—

Mr. PATTERSON. They are great agricultural States. The one great industry in those States is agriculture—farming. They have it in their power to remedy this evil, if they have not become so used to fraud and graft in every department of official and public life that they have come to the conclusion that to struggle against it is useless, and that there is nothing for the people to do but to bow down in submission to the yoke that those who perpetrate these frauds have placed upon their shoulders.

Mr. McCUMBER. If I may interrupt the Senator from Colorado, if we have any remedy in our own State in the matter of the grading of our grain, which is done from five hundred to a thousand miles distant from where it is shipped, I should like to know what the remedy would be.

Mr. PATTERSON. I understood from the Senator from North Dakota that these outrages were traceable to officials of his own State—

Mr. McCUMBER. Well, Mr. President—

Mr. PATTERSON. To a commission—

Mr. McCUMBER. It is evident that the—

Mr. PATTERSON. Which has failed to perform its duty.

Mr. McCUMBER. It is evident that the Senator has not heard anything I have been talking about if he draws any such assumption.

Mr. PATTERSON. Does the Senator from North Dakota say that the swindling of his constituents to the extent of 27,000,000 bushels of wheat occurred on the seaboard? I refer to the 27,000,000 bushels of wheat that were taken out of the warehouses which never went in. According to his own statement it was perpetrated with the knowledge of the chief inspector, who was in the interest of these great warehouses and who necessarily occupied his position with the knowledge or connivance of other State officials. I am frank to say that if such is not the case I have listened to his long speech and very interesting and startling speech and failed to catch the import of it. Does the Senator from North Dakota now desire to shift the responsibility to officials who have no connection with his home government and who conduct the business of their office outside of his own State and at ports for exportation? If that is the case, then I am frank to say I have listened with very poor results to the startling statements, as I understood his statements to be.

Mr. McCUMBER. I ask my colleague if he will allow me to answer the Senator from Colorado?

Mr. HANSBROUGH. I should like very much to complete my statement. Of course, under the circumstances, I yield to my colleague.

Mr. McCUMBER. I assumed that the Senator from Colo-

rado had a fair knowledge of the system by which our wheat is disposed of. We have no commission that passes on it at all before it is disposed of. We have no commission that passes on it at all, because it is all graded at the terminals, the great markets of the country. We have not a single one of those in our State. The price of the commodity is fixed by the grade, and the grade is made by inspectors and is fixed in the State of Minnesota by officers appointed by and through the laws of the State of Minnesota.

Mr. PATTERSON. Then the charge is transferred—

Mr. McCUMBER. We have no control whatever over it.

Again, the Senator is in error in the quotation. The twenty-six or twenty-seven million bushels, I stated, and it is also stated in the opinion of Judge Sanborn as established by the testimony of a witness, represents the number of bushels shipped out of all those elevators in excess of what was shipped in, within a period of ten years.

Mr. PATTERSON. I understand.

Mr. McCUMBER. A portion, of course, from my State, and a portion from the others.

Mr. PATTERSON. From the three States in question. Then I understand the Senator from North Dakota to transfer the responsibility for these enormous frauds from the officials of his own State to the officials of the State of Minnesota. There is where the swindling occurs. What has the Senator from Minnesota to say?

Mr. HANSBROUGH. Mr. President—

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. HANSBROUGH. The question asked by the Senator from Colorado is likely to lead to lengthy debate, and I should like very much to finish what I have to say, as I know the Senator from Vermont is exceedingly anxious to proceed with the bill. I suggest to the Senator from Colorado and the Senator from Minnesota, both of whom are very interesting debaters, that at some future time they can have this thing out between them, and I will be very glad to witness the bout at any time they may fix.

Mr. CLAPP. All I want—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. HANSBROUGH. I yield.

Mr. CLAPP. All I ask is that my silence shall not be construed as an admission. That is all.

Mr. HANSBROUGH. I ask for the reading of the article compiled by Doctor Galloway, explaining the workings of the proposed amendment.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

The inspection of grain as it is now conducted in the United States is the cause of continual dissatisfaction both among dealers in this country and with purchasers abroad. The dissatisfaction among foreign purchasers has recently become so acute that our export trade is seriously threatened with extinction unless some means of remedying the conditions are soon put into effect.

American grain inspection at the present time is conducted in a great variety of ways and under at least three distinct classes of control. The oldest type is that by which a chamber of commerce or board of trade employs inspectors to examine carload lots of grain arriving at a market, and also those carloads being shipped. The second type is the one by which inspectors are employed by some branch of the State government. This is known as State inspection and is now in use in Illinois, Kansas, Missouri, Minnesota, and Washington. The third and least common type is the one where inspectors are employed by common carriers or by private parties. In all these types of inspection the inspectors depend almost entirely upon a superficial examination of the grain. The grade rules under which they work are purposely indefinite in nature, being composed of such expressions as "reasonably dry," "reasonably clean," and "in good condition." Investigations conducted by the Department of Agriculture have shown that it is possible to grade grain accurately. This can be done with sufficient accuracy for all practical purposes by ordinary methods of laboratory analysis.

The amendment proposed by Senator HANSBROUGH would enable the Department to establish laboratories at three principal points of export and to place in each of these laboratories an officer who could examine consignments of grain and report upon the same. It is believed that these laboratory investigations at the ports would, in effect, cause the present inspection service to improve its methods and finally adopt the Government standards. Foreign purchasers would learn of the establishment of these Government laboratories, and in addition to requiring the regular inspection certificates might, and could, secure a certificate from the Government. The result would be the unification of grades and a system which would eventually remove many of the difficulties now encountered.

The conditions of our foreign trade certainly demand some improvement if the custom of selling grain on certificate is to be continued, and it is very desirable that it should continue because by its use grain can be handled much more rapidly and cheaply than can be done by the sample method of dealing—the only alternative unless commercial grades can be maintained and grain certificates recognized as having value.

It is estimated that to maintain these laboratories at three points—say Boston, New Orleans, and San Francisco—would require about

\$5,000 each. The officer in charge would have to be paid a salary of not less than \$2,000. He would probably need two assistants, one at \$1,000, and one at about \$800. Rentals and miscellaneous laboratory expenses would require approximately \$1,200, making a total of \$5,000.

In this connection I append herewith certain memoranda which is self-explanatory. First, a letter from the Glasgow Corn Trade Association commenting on the bad effect of poor inspection on foreign shipments of grain; second, two sets of tables showing the quantity of wheat and corn exported from our chief ports for the years ending June 30, 1884 to 1904; also a table showing the average exports of the principal cereals of the United States for the five years ended June 30, 1904.

Respectfully,

B. T. GALLOWAY, *Chief of Bureau.*

Mr. HANSBROUGH. It is not proposed by this amendment to force Federal inspection or a Federal system of grades upon grain dealers. It is proposed, however, to establish Federal grades by induction rather than by statutory requirement. That will be the effect of this amendment if adopted, and grain dealers themselves will soon be demanding Federal certificates of inspection on the grain they handle.

As to the amendment proposed by my colleague, I will say that I have no objection to it. I hardly think it is necessary, because I believe the Secretary, under the amendment reported by the committee, would adopt such rules and regulations as are detailed in the amendment offered by my colleague. I do not see how the Secretary would put the proposed law into operation without adopting rules and regulations such as are described here. However, I do not object to the amendment. I hope the Senator from Vermont will accept it, unless he has serious objection to it.

Mr. PROCTOR. Mr. President, I think nearly three hours have been consumed in discussing this matter. I think the committee went far enough in the amendment they proposed and that the amendment to the amendment proposed by the Senator from North Dakota ought not to prevail. I think it is not necessary in order to accomplish the substantial purpose that is desired. These reports, I have no doubt, will be sufficient. It is a beginning. If in another year more is wanted, the law can very easily be strengthened.

Mr. NELSON. Mr. President, I do not rise for the purpose of justifying any wrong that may have been perpetrated in the matter of grain inspection; but I am somewhat familiar with this subject both as a farmer and as a producer who has for many years had a little bit of his own wheat to market, and also from the acquaintance I formed with the subject while I was the governor of our State.

The facts are not as bad as the Senator from North Dakota intimates. The great reason why there is a discrepancy between the grades of wheat that come in and go out of the elevators is this: Most of the farmers in North Dakota and most of the wheat farmers in the Red River Valley in my State do not have grain houses on their farms and do not stack their grain. They thrash the grain from the shock. They leave it on the field until they thrash it from the shock, and then they immediately haul the grain to the railroad and ship it in that condition. Any farmer knows that if grain stands in the shock a long time it gets bleached and deteriorates, and especially if it happens to be a rainy or damp fall, with several showers of rain while the grain is in the shock. The grain in that damp and bleached condition is thrashed, and is then hauled to the cars and rushed through to the terminal point, Superior or Duluth. It goes there in bad condition, bleached and overheated, and the first thing the elevators have to do with the wheat is to fan it, to scour it and dry it, and to put it into shape. That is what is done with the wheat which comes there in that condition, after it has stood for weeks and weeks in the shock before being thrashed. It goes there in that condition—bleached, dirty, and heated—and it is in consequence necessarily graded low. They take it into these great elevators in that condition and fan it and dry it, scour it, and fix it up, and, of course, after going through such a process it turns out a better and higher grade. And this to a large extent accounts for the difference in grade of wheat taken in and of wheat turned out from these great terminal elevators.

Mr. HANSBROUGH. But it does not increase the quantity. It may increase in quality, but not in quantity. That is what my colleague referred to.

Mr. NELSON. When you come to the matter of quantity, the situation is this: In the old days the farmer used to have a fanning mill on his farm and clean the wheat before he took it to market. Now, and for many years, the farmers take the wheat as it comes from the thrashing machine, without fanning it, to the market, and it is in all sorts of conditions. It has all sorts of foul stuff and foul seed, sand, and dirt in it, and when it comes to the grading of that grain, which is brought in by the wagon load to the elevator, the elevator man has to make a deduction, and "dock," as it is called, for that dirt and foul seed. And this docking takes place in like manner at the ter-

minal elevator. It is a good deal of a matter of guesswork as to the amount that has to be docked. As a rule, the elevator men deduct, or dock, from a half pound to a pound and a half, and often more, per bushel, and these elevator men, who are working on a salary—the men who are buying the grain from the farmers—are held accountable for what grain they take in and ship out, and of course they want to be on the safe side and protect themselves. In the matter of dockage, if they err at all, they are apt to err in their own favor, but this is not so much for the purpose of cheating the farmers as to protect themselves, so that the same quantity of clean wheat shall be there when it is turned out as when taken in.

Formerly the country elevators, where the grain was first received, used to clean the wheat. It would come in from the farms in wagons and be delivered to the country elevators, and these country elevators would take out the foul stuff and clean the wheat before they shipped it. But that system is obsolete. The wheat, in just the condition it comes from the thrashing machine, is carried to the terminal elevator. In those terminal elevators the foul, bleached, and dirty wheat is put through a rejuvenating process. They air it and fan it and dry it and clean it and make it into a better grade. Hence comes this showing to which the Senator from North Dakota has referred. If you take any foul, bleached, and dirty wheat to these elevators, they will, in the nature of the case, turn out a better grade of wheat than they received. This is because the wheat is put through a drying, cleaning, and scouring process in the elevator, and this process is necessary in order to preserve the wheat from becoming heated, bin-burnt, and musty. I do not mean to say that this is always the case. I do not mean to say that there are not cases where wrong is perpetrated, but I say that this method which I have explained accounts for a good deal of the complaint.

Now, another difficulty which has arisen in recent years in the western country, especially in the semiarid belt, is this: They began to raise a new variety of wheat, commonly called "macaroni," or "Durum." I believe that is the technical name. I see it is called over East here by a different name—goose wheat. It is a hard wheat of inferior grade, making inferior flour as compared with standard varieties of spring wheat. The ordinary roller mills in Minnesota and at other points, suitable for such standard spring wheats as Scotch Fife and blue stem, required new machinery to grind this new Durum or macaroni wheat; and owing to this fact and the fact that macaroni wheat would not make as good flour, the millers have refused to buy it. Hence it has had a poor market. The berry is large and plump. To look at it, it looks fine to a man who is not an expert in the other wheat. But it makes an inferior grade of flour, is hard to grind, and requires entirely different machinery for grinding.

The farmers who have gone into the raising of that wheat have encountered difficulties and drawbacks, both as to grades and prices. In the first place, they found it difficult to get a home market for it, and in the next place they found some difficulty, even where they found a home market for it, to get anything near the price of the other wheat for it. Three or four years ago, I think, when macaroni wheat was first introduced and raised, there was a difference, on the average, of 20 cents a bushel. I think the last year it came down to 10 cents a bushel difference between macaroni and good hard wheat, Scotch Fife or blue stem. This difference in price and grade as to this macaroni wheat has created some feeling and prejudice. We have a very good system of grain inspection, so far as the law goes, in Minnesota. We may have some dishonest men in the grain service, but we have a very good system of grain inspection in Minnesota. We have a board of railroad and warehouse commissioners, who not only have jurisdiction over the railroads, but also over the grain elevators and the grading and inspection of grain.

Our earliest and first law provided simply for the inspection of the grain at terminal elevators—at Minneapolis, St. Paul, and Duluth—and not at interior points. The farmers found fault with that system because it did not touch the home—the country—elevators. They said: "We are not fairly treated at our home elevators;" and there was a great agitation in our State upon the subject. Finally I suggested to the farmers that the proper remedy was to give the railroad commissioners the same control and jurisdiction over our country elevators as over terminal elevators; and in 1892, when I was a candidate for governor, I told the people of our State that if I was elected I would prepare a bill and try and get it passed putting all country elevators that handled grain in any shape under a system of State regulation and State inspection.

I drafted such a bill. We passed it through the legislature against great opposition from the elevator men. The bill



started out on the theory of requiring every elevator on the right of way that received grain to take out a State license and submit to State control. It was only a dollar a year—enough to put the elevators under the control of the railroad and warehouse commission. That law has been contested in the courts. A case under that law—and I referred to it the other day—known as the "Lanesboro case," went up to the Supreme Court of the United States, in which the elevator company claimed that it was immune from State control because it was doing exclusively its own business, buying and shipping exclusively its own grain; but the Supreme Court of the United States held that being built on the right of way and being a public market place where the farmers came to sell their grain and have it graded and weighed, it was the subject of State control, and the Supreme Court sustained the law.

Since we have gotten that law in the State of Minnesota I have heard very little complaint. I think that law was passed in 1893 or 1894. Now, any farmer in that State who is dissatisfied with the grade or dockage allowed him by the local grain dealer at the local elevator, at his station, can take a sample of his grain and send it down to the secretary of the railroad warehouse commission for the examination and judgment of the State grain board of appeals. We have a State grain board of appeals composed of six men, three of whom are farmers. One section of that board sits constantly at Minneapolis and the other at Duluth. Any man, any shipper or any farmer, who is dissatisfied with the grading either at the interior points or at the terminal points, Duluth and Minneapolis, can immediately appeal to that board of grain appeal. All he has got to do is to take out a sample of his wheat, a small quantity—I think 2 or 4 quarts; I do not remember the exact quantity—and send it down to that board, and that board will pass upon it, and if any injustice has been done him either in grading or in dockage the board will adjust it and right him, and its decision is binding and final. At the terminal points we have a body of expert inspectors and weighers, experienced and trained men, who inspect, grade, and weigh the grain as it comes in in the cars from the various interior points, who are appointed upon their merits and not through political consideration. These men stand between the buyer and the seller. The old grain-inspection system was under boards of trade and chambers of commerce, who represented the buyers and not the sellers. Under our State system we have State officials who act as umpires between the buyer and seller, between the farmer and the elevator man.

It is possible that a few of these officials have not always done their duty, but, so far as legislation is concerned, so far as public control can be asserted, we have certainly done all that could be done in the State of Minnesota to get a just and fair grading and inspection of grain and to have our farmers treated fairly in this behalf. I can say that since that so-called "country-elevator" law was passed there has been very little complaint. Before 1893, before we passed that law, they would bring this issue of grain inspection into every political campaign and try and make a party question out of it. There were always a lot of political hoboos who wanted to make political capital out of it. Ever since we got that grain-inspection law established in Minnesota that question went out of politics, and there has been very little complaint on the subject. It is with that just as it is with our law regulating railroads. Since we got a railroad commission for controlling railway rates as to local traffic that question has gone out of politics in the same way.

As I said, it may be possible that we have some officials in the grain service of the State of Minnesota who are not honest, but, taking them as a class, they are good, competent, and honest men, and we apply the principle of civil service to them. If a man is appointed on the grain-inspection force, he comes in first as a helper at a salary of \$60 or \$62 a month. His business is to crawl into the cars on the track and take out a sample and men are put on that force, and when they prove themselves efficient, he is appointed a deputy inspector, and so on, and they are promoted according to their merit without any regard to politics. Our grain force does not know anything about politics. Good men are put on that force, and when they prove themselves efficient we retain them, and we have the best and most efficient grain-inspection service of any State in the Union.

The case the Senator referred to with reference to Superior grew out of these facts: Right at Superior, across the bay from Duluth, there are a great many of the terminal elevators. The great railroads bring wheat from the Dakotas and from Minnesota to these elevators. The roads pass through a little corner of Wisconsin into Superior, and there has lately been a struggle as to whether that wheat should be inspected at Superior, under the Wisconsin law, or under the Minnesota law.

Until a year or two ago Wisconsin had no grain inspection at Superior. All the wheat coming from the West to the head of the lake, whether at Superior or at Duluth, was inspected under the Minnesota system, a system well established and known all over the country. But the people of Wisconsin, especially of Superior, thought that they ought to have an inspection of their own, and get some advantage and profit out of it. So they passed a law, and out of that law there came a conflict between the two States, and it was a conflict as to which State should control the subject and secure the fees incident thereto. It wasn't because the Minnesota inspection was bad, but because Superior wanted to do a part of it.

Now, that is all there is in this subject. I want to say in conclusion that I think any man who is familiar with and has looked thoroughly into our system of grain inspection in Minnesota will pronounce it one of the best systems of the kind in any State in the Union.

Mr. PROCTOR. Mr. President, I move that the amendment offered by the Senator from North Dakota to the amendment be laid on the table.

The motion was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. McCUMBER. Mr. President, this amendment is a makeshift to secure nothing, gotten up by a Mr. Scofield, in the Agricultural Department, who has labored strenuously to get his hobby in some way into law and in a manner that will not, in my opinion, unless you give it some effect, have any force whatever. For that reason, as the result will be simply to prevent the proper legislation upon the merits, I raise the point of order against the amendment.

Mr. HANSBROUGH. I regret that my colleague proposes to take that course with respect to this amendment. I hope he will not insist upon the point of order. I wish to say that this amendment was not drawn by Mr. Scofield. It was drawn by Doctor Galloway and myself, who labored long and arduously over the subject, having the bill offered by my colleague before us, and the bill offered by the Senator from Montana [Mr. CARTER] before us, and all of the information and facts we could get. The result was this amendment. I trust the Senator will not insist upon a point of order against it.

Mr. McCUMBER. Mr. President, the amendment which I offered could not by any means whatever do anything but make the law effective. It has been stated that by induction the same result was to be obtained as would be obtained in the amendment which I offered. I am not in favor of legislating by induction. I believe that a legislative enactment should state what it means and should mean what it states.

The VICE-PRESIDENT. A point of order, under the rules of the Senate, is not debatable. The Chair would ask the Senator from North Dakota to state his point of order.

Mr. McCUMBER. Well, Mr. President, at the earnest solicitation of my colleague, I will withdraw the point of order, not that I think this legislation will benefit the people of my section to amount to anything. The only thing that can be said is, as has already been suggested, that it is in the right direction, and by induction the Secretary of Agriculture can do something that you do not empower him to do by direct legislation.

The VICE-PRESIDENT. The Senator from North Dakota withdraws his point of order. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. PROCTOR. Before passing to the place where we left off in the bill last night, I wish to change the language in lines 20 and 21, on page 23. It now reads:

In packages of such weight as the Secretary of Agriculture may determine and as may be satisfactory to the Postmaster-General.

I move to amend it by striking out the words "may determine and as may be satisfactory to" and inserting "and the Postmaster-General may jointly determine;" so that the whole clause will read as follows:

In packages of such weight as the Secretary of Agriculture and the Postmaster-General may jointly determine.

It does not change the meaning at all, but it is better phraseology.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 23, in lines 19, 20, and 21, change the amendment so as to read:

In packages of such weight as the Secretary of Agriculture and the Postmaster-General may jointly determine.

The amendment was agreed to.

The VICE-PRESIDENT. The pending amendment is on page 23, beginning at line 14. The Secretary will state the amendment.

The SECRETARY. On page 28, after line 2, the Committee on Agriculture and Forestry report to insert the following:

That 10 per cent of all money received from each forest reserve during any fiscal year, including the year ending June 30, 1906, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated: *Provided*, That when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein: *And provided further*, That there shall not be paid to any State or Territory for any county an amount equal to more than 40 per cent of the total income of such county from all other sources.

The amendment was agreed to.

The next amendment was, on page 30, line 23, before the word "property," to strike out "other" and insert "condensed;" and in line 24, after the word "bureaus," to strike out "the money received from such sales to be deposited in the Treasury;" so as to read:

And hereafter all moneys received as contributions toward cooperative work in forest investigations shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, as the Secretary of Agriculture may direct, for the payment of the expenses of said investigations by the Forest Service and for refunds to the contributors of amounts heretofore or hereafter paid in by them in excess of their share of the cost of said investigations, for the employment of fiscal and other agents, clerks, assistants, and other labor required in practical forestry, in the administration of forest reserves, and in conducting experiments and investigations in the city of Washington and elsewhere; and he may dispose of photographic prints (including bromide enlargements), lantern slides, transparencies, blueprints, and forest maps at cost and 10 per cent additional, and condensed property or materials under his charge in the same manner as provided by law for other bureaus; for collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations, etc.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Chemistry," on page 31, line 24, before the word "hundred," to strike out "four" and insert "six;" on page 32, line 12, before the word "messengers," to strike out "two" and insert "three;" and in line 14, before the word "dollars," to strike out "nine hundred and sixty" and insert "one thousand four hundred and forty;" so as to read:

Salaries, Bureau of Chemistry: One chemist, who shall be chief of Bureau, \$3,500; one chief clerk, \$1,600; two clerks of class 2, \$2,800; one property clerk, \$1,600; three clerks of class 1, \$3,600; one clerk, \$1,000; one library clerk, \$900; one assistant property clerk, \$900; two clerks, at \$840 each, \$1,680; three clerks, at \$720 each, \$2,160; one engineer, \$1,200; two messengers, at \$840 each, \$1,680; three skilled laborers, at \$720 each, \$2,160; one skilled laborer, \$600; one fireman, \$600; three messengers or laborers, at \$480 each, \$1,440; etc.

The amendment was agreed to.

The next amendment was, on page 32, line 16, to increase the total appropriation for salaries, Bureau of Chemistry, from \$27,580 to \$28,260.

The amendment was agreed to.

The next amendment was, on page 33, line 10, after the words "Bureau of Chemistry," to insert:

To investigate the adulteration, false labeling, or false branding of foods, drugs, beverages, condiments, and ingredients of such articles, when deemed by the Secretary of Agriculture advisable, and also the effect of cold storage upon the healthfulness of foods; to enable the Secretary of Agriculture to investigate the character of food preservatives, coloring matters, and other substances added to foods, to determine their relation to digestion and to health, and to establish the principles which should guide their use, and to publish the results of such investigations when thought advisable.

So as to read:

Laboratory, Department of Agriculture: General expenses, Bureau of Chemistry: Chemical apparatus, chemicals, laboratory fixtures and supplies, repairs to engine and apparatus, gas and electric current, purchase of all necessary office fixtures, supplies, and necessary expenses in conducting investigations in this Bureau, including actual and necessary traveling and other expenses, telegraph and telephone services, for express and freight charges, labor and expert work in such investigations, in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; to continue the collaboration with other bureaus and divisions of the Department desiring chemical investigations and to collaborate with other Departments of the Government whose heads request the Secretary of Agriculture for such assistance, and for other miscellaneous work; for the employment of additional assistants and chemists, when necessary, and for the rent of buildings occupied by the Bureau of Chemistry; to investigate the adulteration, false labeling, or false branding of foods, drugs, beverages, condiments, and ingredients of such articles, when deemed by the Secretary of Agriculture advisable, and also the effect of cold storage upon the healthfulness of foods; to enable the Secretary of Agriculture to investigate the character of food preservatives, coloring matters, and other substances added to foods, to determine their relation to digestion and to health, and to establish the principles which should guide their use, and to publish the results of such investigations when thought advisable; etc.

Mr. SPOONER. I think there is very great danger that we will not only duplicate but triplicate different departments of the Government in some of this work. We passed a bill known as the "pure-food bill." It has been very much amended in the House, I understand, and is shortly to come back to the Senate. I do not think that so far as its penalties were concerned the bill was worth the paper it was printed on when it

left the Senate. It covers this whole subject. A part of it is already covered by the laboratory of the Bureau of Public Health, and it is incorporated also by way of amendment in this bill. If this bill should become a law, and if the pure-food bill shall be passed, it is duplicated, and without any possible justification. I should like to know upon what theory this amendment is inserted.

Mr. PROCTOR. Mr. President, this is precisely the present law. As the pure-food bill had not been passed it seemed advisable to insert here what went out on a point of order in the House.

I will say that this matter shall not go through the conference until the fate of the pure-food bill is determined; and if that bill takes jurisdiction of this matter what is put in here will go out in conference.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The Secretary continued the reading of the bill. The next amendment was, on page 34, line 5, after the word "countries," to strike out "to enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists, and such other experts as he may deem necessary;" so as to read:

To enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products in foreign countries and to inspect before shipment, when desired by the shippers or owners of these food products, American food products intended for countries where chemical and physical tests are required before said food products are allowed to be sold in the countries mentioned, and for all necessary expenses connected with such inspection and studies of methods of analysis in foreign countries; to investigate, in collaboration with the Bureau of Animal Industry, etc.

The amendment was agreed to.

The next amendment was, on page 35, line 13, after the word "may," to strike out "after notification;" so as to read:

And the Secretary of Agriculture, whenever he has reason to believe that any articles are being imported from foreign countries which are dangerous to the health of the people of the United States, or which shall be falsely labeled or branded either as to their contents or as to the place of their manufacture or production, shall make a request upon the Secretary of the Treasury for samples from original packages of such articles for inspection and analysis, and the Secretary of the Treasury is hereby authorized to open such original packages and deliver specimens to the Secretary of Agriculture for the purpose mentioned, giving notice to the owner or consignee of the sampling of such articles, who may be present and have the right to introduce testimony before the Secretary of Agriculture, or his representative, either in person or by agent, concerning the suitability of such articles for entry.

Mr. SPOONER. Why are the words "after notification" stricken out?

Mr. PROCTOR. Because it seemed to be a repetition in the line above. It reads:

Giving notice to the owner or consignee of the sampling of such articles.

It is not necessary to take it out, but it seemed to be a mere repetition.

Mr. SPOONER. I think that is right.

The amendment was agreed to.

The next amendment was, on page 36, line 2, before the word "thousand," to strike out "thirty" and insert "forty-five;" and in line 3, after the word "dollars," to insert:

And the employees of the Bureau of Chemistry outside the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year.

So as to read:

Employing such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purpose named, \$145,920. And the employees of the Bureau of Chemistry outside the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year.

The amendment was agreed to.

The next amendment was, on page 36, line 11, to increase the total appropriation for the maintenance of the Bureau of Chemistry, from \$158,500 to \$174,180.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Soils," on page 36, line 17, after the word "dollars," to strike out "one clerk" and insert "two clerks;" and in line 19, before the word "hundred," to strike out "one thousand eight" and insert "three thousand six;" so as to read:

Salaries, Bureau of Soils: One soil physicist, who shall be chief of Bureau, \$3,500; one chief clerk, \$2,000; two clerks, class 4, \$3,600, etc.

The amendment was agreed to.



The next amendment was, on page 37, line 11, to increase the total appropriation for salaries, Bureau of Soils, from \$34,660 to \$36,460.

The amendment was agreed to.

The next amendment was, on page 37, line 19, after the word "waters," to strike out "and of methods for the prevention of the accumulation of and injury from seepage waters in irrigated districts;" so as to read:

Soil investigations: General expenses, Bureau of Soils: Investigation of the relation of soils to climate and organic life; for the investigation of the texture and composition of soils in the field and laboratory; for the investigation of the cause and prevention of the rise of alkali in the soils of the irrigated districts; the investigation of the relation of soils to drainage and seepage waters, etc.; for investigations of soils and for indicating upon maps or plats, by coloring or otherwise, the results of such investigations, etc.

The amendment was agreed to.

The next amendment was, on page 38, line 3, after the word "fermentation," to strike out:

To originate, through selection and breeding, improved varieties for the principal tobacco districts of the United States, and to secure, as far as may be, a change in the methods of supplying tobacco to foreign countries.

So as to read:

To map the tobacco soils of the United States; to investigate the soils and conditions of tobacco growth in Cuba, Sumatra, and other tobacco-competing countries; to investigate, in cooperation with the Bureau of Plant Industry, the methods of curing, with particular reference to fermentation; to investigate, with the view of improving, the conditions relating to the supply and sale of domestic tobacco to any foreign country or countries where the business of buying and selling tobacco is conducted by the government; the location of the stations, etc.

The amendment was agreed to.

The next amendment was, in the appropriation for soil investigations, on page 38, line 22, to increase the amount from \$185,000 to \$200,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 22, to strike out the following proviso:

*Provided*, That \$5,000 of the amount hereby appropriated shall be expended by the Secretary of Agriculture in experimental work in raising tobacco in Onondaga County, State of New York.

The amendment was agreed to.

The next amendment was, on page 39, line 3, to increase the total appropriation for the maintenance of the Bureau of Soils from \$219,660 to \$236,460.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Entomology," on page 39, line 14, after the word "dollars," to strike out "one clerk" and insert "three clerks;" in line 15, before the word "hundred," to strike out "one thousand two" and insert "three thousand six," and in line 19, before the word "hundred," to strike out "eighteen thousand four" and insert "twenty thousand eight;" so as to make the paragraph read:

Salaries, Bureau of Entomology: One Entomologist, who shall be chief of Bureau, \$3,000, and for additional compensation while the office is held by the present incumbent, \$250, \$3,250; one chief clerk, \$1,800; three clerks, class 2, \$4,200; one artist, \$1,400; three clerks, class 1, \$3,600; five clerks, at \$1,000 each, \$5,000; one messenger, \$840; one messenger, \$720; in all, \$20,810.

The amendment was agreed to.

The next amendment was, in the item for the appropriations for entomological investigations, on page 40, line 22, before the word "thousand," to strike out "sixty-eight" and insert "eighty;" and in the same line, after the word "dollars," to insert:

Of which sum \$5,000, or so much thereof as may be necessary, shall be used by the Secretary of Agriculture in investigating the insect affecting orange groves and known as the "white fly."

So as to read:

Preparing, illustrating, and publishing the results of the work of the Bureau \$80,000, of which sum \$5,000, or so much thereof as may be necessary, shall be used by the Secretary of Agriculture in investigating the insect affecting orange groves and known as the "white fly."

The amendment was agreed to.

The next amendment was, on page 41, line 1, to increase the total appropriation for the maintenance of the Bureau of Entomology from \$86,410 to \$100,810.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Biological Survey," on page 41, line 6, before the word "class," to strike out "one clerk" and insert "two clerks;" in line 7, before the word "hundred," to strike out "one thousand two" and insert "two thousand four;" and in line 10, before the word "hundred," to strike out "seven thousand five" and insert "eight thousand seven;" so as to make the clause read:

Salaries, Bureau of Biological Survey: One biologist, who shall be chief of Bureau, \$3,000; two clerks, class 1, \$2,400; two clerks, at \$1,000 each, \$2,000; one clerk, \$900; one messenger or laborer, \$480; in all, \$8,780.

The amendment was agreed to.

The next amendment was, in the item for the appropriations for biological investigations, on page 42, line 2, after the word "the," where it occurs the second time, to strike out "division" and insert "Bureau;" and in line 9, before the word "thousand," to strike out "forty-four" and insert "forty-nine;" so as to read:

For preparation and publication of reports, and for illustrations, field work, and traveling and other expenses in the practical work of the Bureau, and to enable the Secretary of Agriculture to carry into effect the provisions of an act approved May 25, 1900, entitled "An act to enlarge the powers of the Department of Agriculture, prohibiting the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," \$49,420.

The amendment was agreed to.

The next amendment was, on page 42, line 10, to increase the total appropriation for the maintenance of the Bureau of Biological Survey from \$52,000 to \$58,200.

The amendment was agreed to.

The next amendment was, under the head of "Division of Accounts and Disbursements," on page 42, line 18, before the word "dollars," to strike out "one thousand eight hundred" and insert "two thousand;" so as to read:

Salaries, Division of Accounts and Disbursements: Chief of division and disbursing clerk, \$2,750; one assistant chief of division, \$2,500; one auditor, \$2,000; one cashier, \$2,000, etc.

The amendment was agreed to.

The next amendment was, on page 43, line 2, to increase the total appropriation for salaries, Division of Accounts and Disbursements, from \$32,210 to \$32,410.

The amendment was agreed to.

The next amendment was, under the head of "Salaries, Division of Publications," on page 43, line 9, after the word "assistant," to strike out "editor" and insert "in charge of indexing;" in line 15, before the word "dollars," to strike out "engraver, one thousand eight hundred" and insert "assistant in charge of illustration, two thousand;" in line 20, before the word "clerks," to strike out "four" and insert "five;" in line 21, before the word "dollars," to strike out "four thousand eight hundred" and insert "six thousand;" in line 22, before the word "clerks," to strike out "one index clerk, \$1,200; three" and insert "six;" and in line 23, before the word "thousand," to strike out "three" and insert "six;" so as to read:

Salaries, division of publications: One editor, who shall be chief of division, \$3,000; one editor, who shall be assistant chief of division, \$2,250; one associate editor, \$2,000; one assistant in charge of indexing, \$1,800; two assistant editors, at \$1,600 each, \$3,200; one editorial clerk, \$1,600; one editorial clerk, \$1,400; one assistant in charge of illustration, \$2,000; one draftsman or clerk, \$1,500; two draftsmen or clerks, at \$1,400 each, \$2,800; one draftsman or clerk, \$1,200; one chief clerk, \$1,800; five clerks class 1, \$6,000; six clerks, at \$1,000 each, \$6,000; etc.

The amendment was agreed to.

The next amendment was, in the same clause, on page 44, line 4, after the word "dollars," to insert "one folder, \$900;" in line 6, after word "dollars," to strike out "two folders, at \$600 each, \$1,200;" in line 9, before the word "clerks," to strike out "three" and insert "five;" in line 11, before the word "dollars," to strike out "two thousand five hundred and twenty" and insert "four thousand two hundred;" in line 11, before the word "clerks," to strike out "twenty-seven" and insert "twenty-four;" in line 13, before the word "dollars," to strike out "nineteen thousand four hundred and forty" and insert "seventeen thousand two hundred and eighty;" in line 14, before the word "clerks," to strike out "thirty-five" and insert "thirty-two;" in line 15, before the word "dollars," to strike out "twenty-one thousand" and insert "nineteen thousand two hundred;" in the same line, after the word "dollars," to insert "one photographer, \$1,200;" in line 17, before the word "assistant," to strike out "two" and insert "one;" in the same line, after the word "assistant," to strike out "photographers" and insert "photographer;" in the same line, before the word "eight," to strike out "at;" in line 18, after the word "dollars," to strike out "each, \$1,680; seven;" in line 19, before the word "skilled," to insert "eight;" in line 21, before the word "dollars," to strike out "five thousand and forty" and insert "five thousand seven hundred and sixty;" and in line 22, after the word "dollars," to strike out "one skilled laborer, \$480;" so as to read:

One chief folder, \$1,000; one folder, \$900; three folders, at \$840 each, \$2,520; one clerk, \$900; five clerks, at \$840 each, \$4,200; twenty-four clerks, at \$720 each, \$17,280; thirty-two clerks, at \$600 each, \$19,200; one photographer, \$1,200; one assistant photographer, \$840; eight skilled laborers, at \$720 each, \$5,760; twenty skilled laborers, at \$600 each, \$12,000; one messenger, \$840.

The amendment was agreed to.

The next amendment was, on page 45, line 7, to increase the total appropriation for "Salaries, Division of Publications," from \$115,050 to \$116,270.

The amendment was agreed to.

The next amendment was, on page 47, line 2, to increase the total appropriation for the maintenance of the Division of Publications from \$247,300 to \$248,520.

The amendment was agreed to.

The next amendment was, on page 47, after line 3, to insert as a heading "Bureau of Statistics."

The amendment was agreed to.

The next amendment was, in the item for the appropriations for collecting agricultural statistics, on page 48, line 22, before the word "thousand," to strike out "ninety-three" and insert "one hundred and eight;" so as to make the proviso read:

*Provided further,* That the condition reports of the cotton crop shall be issued on the same day as the first ginner's report of actual cotton ginned in each month, respectively, during the months in which both condition reports and ginner's reports are issued, \$108,000, of which not more than \$20,000 shall be expended for salaries in the city of Washington, D. C.

The amendment was agreed to.

The next amendment was, on page 49, line 12, to increase the total appropriation for the maintenance of the Bureau of Statistics from \$195,500 to \$210,560.

The amendment was agreed to.

The next amendment was, under the head of "Office of Experiment Stations," on page 53, line 1, before the word "dollars," to strike out "seven hundred and ninety-nine thousand six hundred and sixty" and insert "eight hundred and twelve thousand one hundred and twenty;" in line 3, before the word "dollars," to strike out "twenty-one thousand six hundred and sixty" and insert "twenty-five thousand five hundred;" so as to read:

Agricultural experiment stations: To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," and to enforce the execution thereof, \$812,120, \$25,500 of which sum shall be payable upon the order of the Secretary of Agriculture, etc.

The amendment was agreed to.

The next amendment was, on page 53, line 13, before the word "employ," to insert "rent offices and to;" so as to read:

And the Secretary of Agriculture is hereby authorized to rent offices and to employ such assistants, clerks, and other persons as he may deem necessary, in the city of Washington and elsewhere, etc.

The amendment was agreed to.

The next amendment was, on page 54, line 5, before the word "thousand," to strike out "forty-eight" and insert "fifty-three;" so as to read:

And the Secretary of Agriculture is hereby authorized to expend \$53,000 of which sum to establish and maintain agricultural experiment stations in the Territories of Alaska, Hawaii, and Porto Rico, etc.

The amendment was agreed to.

The next amendment was, on page 54, line 25, to increase the total appropriation for the establishment of agricultural experiment stations from \$799,600 to \$812,120.

The amendment was agreed to.

The next amendment was, on page 55, line 2, before the word "dollars," to strike out "five thousand" and insert "thirteen thousand six hundred and twenty;" and in line 5, after the word "institutes," to insert "and agricultural schools;" so as to make the proviso read:

*Provided,* That \$13,620 of this sum shall be used by the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice. And the employees of the experiment stations in Alaska, Hawaii, and Porto Rico may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leave of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year.

The amendment was agreed to.

The next amendment was, on page 55, after line 19, to insert:

Nutrition investigations: To enable the Secretary of Agriculture to investigate and report upon the nutritive value of the various articles and commodities used for human food, with special suggestions of full, wholesome, and edible ration less wasteful and more economical than those in common use, including special investigations on the nutritive value and economy of the diet in public institutions; and the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary in the city of Washington and elsewhere; and the agricultural experiment stations are authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs of the respective States and Territories, and as may be mutually agreed upon; and the Secretary of Agriculture is hereby authorized to require said stations to report to him the results of any such investigations which they may carry out, whether in cooperation with the said Secretary of Agriculture or otherwise, \$20,000.

The amendment was agreed to.

The next amendment was, on page 57, line 12, to increase the total appropriation for the maintenance of the Office of Experiment Stations from \$951,020 to \$963,480.

The amendment was agreed to.

The next amendment was, on page 57, after line 13, to insert the following heading: "Office of Public Roads."

The amendment was agreed to.

The next amendment was, under the head of "Office of Public Roads," on page 57, line 17, before the word "dollars," to strike out "two thousand five hundred" and insert "three thousand;" in line 18, after the word "dollars," to strike out "one instrument maker, \$1,200;" in line 20, after the word "dollars," to strike out "one clerk" and insert "two clerks;" in line 22, before the word "hundred," to strike out "one thousand two" and insert "two thousand four;" and on page 58, line 1, before the word "hundred," to strike out "three" and insert "eight;" so as to make the clause read:

Salaries, Office of Public Roads: One director, who shall be a scientist and have charge of all scientific and technical work, \$3,000; one chief of records, \$1,800; one editorial clerk, \$1,200; two clerks, class 1, \$2,400; three clerks, at \$1,000 each, \$3,000; two clerks, at \$720 each, \$1,440; in all, \$12,840.

The amendment was agreed to.

The next amendment was, on page 58, line 4, before the word "systems," to strike out "the;" in line 15, before the word "not," to strike out "a building" and insert "buildings;" in line 16, before the word "dollars," to strike out "one thousand two hundred" and insert "two thousand;" and in line 21, before the word "hundred," to strike out "forty-seven thousand six" and insert "sixty-two thousand one;" so as to make the clause read:

Public roads: To enable the Secretary of Agriculture to make inquiries in regard to systems of road management throughout the United States; to furnish expert advice on road building; to make investigations in regard to the best methods of road making, and the best kinds of road-making materials in the several States; to investigate the chemical and physical character of road materials; for the employment of local and special agents, clerks, assistants, and other labor required in the city of Washington and elsewhere; for collating, digesting, reporting, and illustrating the results of such investigations and experiments; for preparing, publishing, and distributing bulletins and reports; for rent and repairs of buildings not to exceed \$2,000; for necessary office fixtures and supplies, apparatus, and materials; telegraph and telephone service, traveling and other necessary expenses, and to enable him to assist the agricultural colleges and experiment stations in disseminating information on this subject, \$62,160.

The amendment was agreed to.

The next amendment was, on page 58, line 22, to increase the total appropriation for the maintenance of the Office of Public Roads from \$60,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 58, line 24, to increase the total appropriation for the maintenance of the Department of Agriculture from \$7,146,440 to \$7,370,000.

The amendment was agreed to.

The next amendment was, on page 60, line 24, to increase the appropriation to enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy moth from \$65,000 to \$75,000.

MR. LODGE. Mr. President, I hope there will be no objection to increasing the appropriation contained in that amendment to \$100,000. The State of Massachusetts alone is appropriating from one hundred and fifty to two hundred thousand dollars for this purpose. The pest has spread into four States. I will therefore move to amend the committee amendment by striking out "\$75,000" and inserting "\$100,000."

THE VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts [Mr. LODGE] will be stated.

THE SECRETARY. On page 60, line 24, before the word "dollars," it is proposed to strike out "seventy-five thousand" and insert "one hundred thousand;" so as to read:

To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy moth, \$100,000, etc.

MR. GALLINGER. Mr. President, as this wretched pest, which devours everything before it, has reached my State, I trust the amendment to the amendment will prevail. I hope there will be no objection to it.

MR. PROCTOR. Mr. President, I own a half acre of rocks and sand in Massachusetts. If I had more, I should be poorer. I received not long since an official notice, to which I paid no attention except to send it to my representative up there. There are a few scrub trees on the lot to which I refer, and the notice was that certain things should be done to destroy the gypsy moth; which I thought would entail considerable expense. I should like to ask the Senator from Massachusetts if there is a State law or a county or town act which requires individuals to contribute to such expense.

MR. LODGE. There is a State law which, through the town



governments, requires all persons to clean the trees on their places.

The brown-tail moth ought to be included in this legislation. The State of Massachusetts itself has already spent over a million dollars in the effort to check it. We have, by quite a large expenditure of money, confined its area, but the brown-tail and gypsy moths have now spread into Rhode Island, Connecticut, and New Hampshire, and I think they have even got as far as Maine. They have been destructive in the highest degree; and it is to the interest of every State in the Union to aid the New England States in checking the further extension of this pest.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LODGE. In the text of the bill, in line 23, after the word "gypsy," I move to strike out the word "moth" and insert "and brown-tail moths."

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 60, at the end of line 23, it is proposed to strike out "moth" and insert "and brown-tail moths;" so as to read:

To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths, etc.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 61, line 13, after the word "For," to strike out "the Bureau of Forestry" and insert "Forest Service;" so as to read: "For Forest Service."

The amendment was agreed to.

The next amendment was, on page 61, line 22, before the word "dollars," to strike out "four hundred and eighty-one thousand four hundred and forty" and insert "seven hundred and fifteen thousand;" so as to make the clause read:

The total amount of this bill is \$7,715,000.

Mr. LODGE. I move to amend the amendment so as to make the total in lines 21 and 22 \$740,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 61, after line 22, to insert:

And the Secretary of Agriculture is hereby authorized to furnish, upon application, prints from negatives in the possession of the Department and to charge for such prints a fee to cover the cost of preparation, such fee to be determined and established by the Secretary of Agriculture, and the money received from such sales to be deposited in the Treasury of the United States.

Mr. PROCTOR. On page 61, line 24, in the amendment of the committee, after the word "prints," I move to insert "and lantern slides;" in line 25 to strike out "such prints a fee" and insert "the same a price;" and on page 62, line 1, strike out the word "fee" and insert the word "price." It is simply a change of wording.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 61 it is proposed to amend the amendment, in line 24, after the word "prints," by inserting "and lantern slides;" in line 25, after the words "charge for," to strike out the words "such prints a fee" and insert the words "the same a price;" and on page 62, line 1, after the word "such," to strike out the word "fee" and insert the word "price;" so as to read:

And the Secretary of Agriculture is hereby authorized to furnish, upon application, prints and lantern slides from negatives in the possession of the Department and to charge for the same a price to cover the cost of preparation, such price to be determined and established by the Secretary of Agriculture, and the money received from such sales to be deposited in the Treasury of the United States.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 62, after line 13, to insert:

The act of Congress approved March 16, 1906, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditures thereof," shall be construed to appropriate the sum of \$5,000 for the fiscal year ending June 30, 1906, the sum of \$7,000 for the fiscal year ending June 30, 1907, the sum of \$9,000 for the fiscal year ending June 30, 1908, the sum of \$11,000 for the fiscal year ending June 30, 1909, the sum of \$13,000 for the fiscal year ending June 30, 1910, and the sum of \$15,000 for the fiscal year ending June 30, 1911. The sum of \$5,000 appropriated for the fiscal year 1906 shall be paid on or before June 30, 1906, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March 2, 1887.

Mr. PROCTOR. After the word "appropriate," in line 18, I move to amend the amendment by inserting "for each station."

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Vermont to the amendment of the committee.

The SECRETARY. In line 18, after the word "appropriate," it is proposed to amend the committee amendment by inserting the words "for each station."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was concluded.

Mr. PROCTOR. Turning back to page 13, in lines 21 and 22, after the word "that," I move to strike out "the Secretary of Agriculture may construe the provisions of;" in line 25, after the word "thereof," to insert the words "shall be deemed;" and in line 1, on page 14, before the word "may," to insert "the Secretary of Agriculture." It is merely a change of words. It would seem to be more proper to say that "the act shall be deemed to apply" than to say that "the Secretary of Agriculture may construe."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, line 21, after the word "that," it is proposed to strike out "the Secretary of Agriculture may construe the provisions of;" in line 25, after the word "thereof," to insert the words "shall be deemed;" and on page 14, line 1, before the word "may," to insert "the Secretary of Agriculture."

The amendment was agreed to.

Mr. LATIMER. I ask to return to page 57, line 10, where I move to amend the bill by inserting the word "twenty" between the words "and" and "two," so that the total appropriation for irrigation and drainage investigations will be "\$122,200."

The VICE-PRESIDENT. The Secretary will state the proposed amendment.

The SECRETARY. On page 57, line 10, after the word "and," it is proposed to insert "twenty;" so that the total will read "\$122,200."

The amendment was agreed to.

Mr. LATIMER. On page 58, line 22, I move to insert the word "eighty" instead of "seventy-five."

The VICE-PRESIDENT. That is a committee amendment which has been agreed to; but, without objection, it will be considered as open to amendment. The amendment of the Senator from South Carolina to the amendment of the committee will be stated.

The SECRETARY. On page 58, line 22, it is proposed to amend the committee amendment by striking out "seventy-five" and inserting "eighty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BURKETT. I offer the amendment which I send to the desk, to come in on page 61.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of line 19, page 61, it is proposed to insert the following as a new paragraph:

For the extension of forest planting on forest reserves, the sum of \$15,000, of which not to exceed \$2,500 may be used to construct a permanent station building on the Dismal River Forest Reserve, Nebraska.

The amendment was agreed to.

Mr. DUBOIS. I offer the amendment which I send to the desk, to come in on page 37.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 37, after the word "laboratory," in line 16, it is proposed to insert the following:

To enable the Secretary of Agriculture to conduct experiments to ascertain what crops can be most profitably grown, and to demonstrate the best methods of cultivating them in the irrigated districts opened for settlement under the terms of the reclamation act approved June 17, 1902, \$15,000.

The amendment was agreed to.

Mr. KEAN. On page 33, line 10, before the word "adulteration," I move to insert the word "composition."

The VICE-PRESIDENT. The committee amendment having been agreed to, the proposed amendment of the Senator from New Jersey is not now in order; but, without objection, the amendment will be regarded as open. The amendment of the Senator from New Jersey will be stated.

The SECRETARY. On page 33, line 10, before the word "adulteration," it is proposed to amend the amendment of the committee by inserting the word "composition."

Mr. LATIMER. I should like to know the effect of that amendment.

Mr. KEAN. The only effect of that amendment will be to provide for the investigation of the composition of these foods,

drugs, etc., and to let people judge for themselves whether or not they are adulterated and injurious.

Mr. TELLER. Let the amendment be read.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 33, line 10, before the word "adulteration," it is proposed to amend the amendment of the committee by inserting the word "composition;" so as to read:

To investigate the composition, adulteration, false labeling, or false branding of foods, drugs, beverages, condiments, and ingredients of such articles, when deemed by the Secretary of Agriculture advisable, and also the effect of cold storage upon the healthfulness of foods; to enable the Secretary of Agriculture to investigate the character of food preservatives, coloring matters, and other substances added to foods, to determine their relation to digestion and to health, and to establish the principles which should guide their use, and to publish the results of such investigations when thought advisable.

Mr. LATIMER. I have no objection to that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If no amendment be proposed, the bill will be reported to the Senate.

Mr. TELLER. There are two or three amendments which I should like to call to the attention of the Senator from Vermont. Is the bill in the Senate now?

The VICE-PRESIDENT. The bill is still in Committee of the Whole.

Mr. TELLER. I thought it had been reported to the Senate.

The VICE-PRESIDENT. If there be no further amendments, the bill will be reported to the Senate.

The bill was reported to the Senate as amended; and the amendments were concurred in.

Mr. TELLER. Mr. President, I want to call attention to a provision in the bill, on page 23, which I will suggest to the chairman of the committee needs some change. I myself do not like to interfere with amendments on a bill of this kind, but I should like to suggest to the Senator who has the bill in charge—

Mr. SPOONER. The provision to which the Senator refers has been changed.

Mr. TELLER. I am told that has been changed. Was the provision on page 13 also changed? If not, I desire to suggest an amendment on page 13.

Mr. SPOONER. Is it about "construing?"

Mr. TELLER. Yes.

Mr. SPOONER. That has been changed.

Mr. TELLER. Very well, Mr. President, I will not detain the Senate.

Mr. BEVERIDGE. On line 15, page 15, after the word "dollars," I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 15, line 15, after the word "dollars," it is proposed to insert the following:

That the Secretary of Agriculture shall cause to be made, by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination of all cattle, sheep, swine, and goats to be prepared for human consumption, at any slaughtering, canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia, or any place under the jurisdiction of the United States for transportation to or sale in any other State or Territory, or the District of Columbia, or any place under the jurisdiction of the United States; and the carcasses of all said animals found to be sound, healthy, and fit for human food shall be marked, stamped, tagged, or labeled as "inspected and passed," which mark, stamp, label, or tag shall show on its face the date on which it was affixed; and said inspectors shall label, mark, stamp, or tag as "inspected and condemned" all carcasses and parts of carcasses of animals found to be unsound, unhealthful, or otherwise unfit for human food, and shall cause to be destroyed and personally superintend the destruction of all carcasses or parts of carcasses of animals found to be unsound, unhealthful, or otherwise unfit for human food; and said inspectors, after said first inspection, shall, when they deem it necessary, reinspect said carcasses or parts of carcasses or the food products thereof to determine whether since the first inspection the same has become unsound, unwholesome, or in any way unfit for human food, and if any carcasses or any part thereof or any food product made therefrom shall, upon examination and inspection subsequent to the first examination and inspection, be found to have become unsound, unwholesome, unhealthful, or otherwise unfit for human food, said inspectors shall cause to be destroyed and personally superintend the destruction of the same notwithstanding said first inspection.

That the Secretary of Agriculture shall cause to be made by inspectors appointed by him for that purpose an inspection and examination of all food products prepared in any slaughtering, canning, salting, packing, rendering, or similar establishment for interstate commerce, and for the purposes of such examination and inspection said inspectors shall have access to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "inspected and passed" all such products as upon inspection are found to be pure, sound, wholesome, and made up of healthful ingredients and fit for human food, which mark, stamp, tag, or label shall show on its face the date on which it was affixed; and said inspectors shall label, mark, stamp, or tag as "inspected and condemned" all such products as upon inspection are found to be impure, unsound, unhealthful, or otherwise unfit for human food, and shall cause to be destroyed and personally superintend such destruction of all food products which upon exami-

nation and inspection are found to be impure, unsound, composed of unhealthful ingredients, or which have been treated with or contain any dyes or deleterious chemicals of any kind or which are otherwise unfit for human food.

That all slaughtering, canning, salting, packing, rendering, or similar establishments in which cattle, sheep, swine, and goats are slaughtered and the meat and meat food products thereof are prepared for interstate or foreign commerce shall be maintained in a sanitary manner according to the rules and regulations prescribed by the Secretary of Agriculture; and it shall be the duty of the inspectors herein provided for to inspect the sanitary conditions of said establishments as well as the animals slaughtered and the food products therein prepared, as directed by and in accordance with the rules and regulations to be prescribed by the Secretary of Agriculture.

That no cattle, sheep, swine, or goats, or meat, or meat food products thereof, which have not been examined and marked as "inspected and passed," in accordance with the provisions of this act and the rules and regulations prescribed by the Secretary of Agriculture, shall be brought into or allowed to enter any slaughtering, packing, canning, salting, rendering, or similar establishment where cattle, sheep, swine, and goats are slaughtered for food purposes or meat food products are prepared for interstate or foreign trade; and it shall be the duty of the inspectors herein provided for to refuse to stamp, mark, or label any carcasses or any part thereof, or meat food products thereof prepared in such establishment until the same have actually been inspected and found to be sound, healthy, and fit for human food, and none but healthful materials and ingredients fit for human food shall be included in or mixed with or into the composition of any food product prepared in any such establishment; and no food product shall be sold or offered for sale by any person, firm, or corporation engaged in interstate commerce under any other than a true name which shall accurately describe said food product; and no carcass, meat, or meat food product which has issued from any establishment where meat or meat food products are prepared for interstate commerce for sale shall be returned to the same or any similar establishment without again being subjected to inspection in accordance with the rules and regulations prescribed by the Secretary of Agriculture.

That on and after January 1, 1907, no person, firm, or corporation shall transport or offer for transportation, and no carrier of interstate commerce shall transport or receive for transportation from one State or Territory or the District of Columbia, or any place under the jurisdiction of the United States to any other State or Territory or the District of Columbia or any place under the jurisdiction of the United States or to any foreign country, any carcasses, meat, or meat food products thereof which have not been inspected, examined, and marked as "inspected and passed," in accordance with the terms of this act and with the rules and regulations prescribed by the Secretary of Agriculture; and no person, firm, or corporation which engages in the interstate commerce of meat or meat food products shall transport or offer for transportation, and no carrier of interstate commerce shall transport or receive for transportation from said person, firm, or corporation, from one State or Territory or the District of Columbia, or any place under the jurisdiction of the United States to any other State or Territory or the District of Columbia or any other place under the jurisdiction of the United States or to any foreign country, any carcasses or meat or meat food products unless the slaughtering, canning, packing, salting, rendering, or other similar establishment owned, leased, or operated by said firm or corporation engaged in the interstate commerce of meat or meat food products shall be maintained in a sanitary condition according to the rules and regulations prescribed by the Secretary of Agriculture as provided in section 111 of this act; and the Secretary of Agriculture shall, at periods by him prescribed, furnish such establishment a certificate stating that such establishment or establishments have been inspected and approved, as provided by section 111 of this act, which certificate shall be sufficient evidence to any carrier of interstate commerce that said establishments therein described are maintained in the sanitary condition provided for in section 111 of this act.

That when any meat or meat food product prepared for interstate commerce which has been inspected as hereinbefore provided and marked "inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering containing said meat or meat food product, which label shall state that the contents thereof have been inspected and passed under the provisions of this act and the date of such inspection and packing or canning; and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle shall be deemed to be complete until such meat or meat food products under the supervision of said inspector has been sealed in said can, tin, pot, canvas, or other receptacle.

That no person, firm, or corporation, or officer, agent, or employee thereof, shall forge, counterfeit, simulate, or falsely represent, or shall without proper authority use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy any of the marks, stamps, tags, labels, or other identification devices provided for in this act, or in and as directed by the rules and regulations prescribed hereunder by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product thereof subject to the provisions of this act, or any certificate in relation thereto, authorized or required by this act or by the said rules and regulations of the Secretary of Agriculture.

That the Secretary of Agriculture shall cause an inspection and examination of all cattle, sheep, swine, and goats, and the food products thereof slaughtered and prepared in the establishments hereinbefore described for the purposes of interstate commerce or for export to foreign countries, to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, and goats or the preparation of said food products is conducted during the nighttime, but no slaughtering or preparation of meat or meat food products shall be done during the nighttime except in cases of emergency; and such inspectors as the Secretary of Agriculture may direct shall have access during the nighttime as well as the daytime to every part of any establishment hereinbefore described without reference to whether or not any slaughtering or other work is being done therein.

That the Secretary of Agriculture is authorized and directed to prescribe and fix reasonable fees for the inspection and examination of all cattle, sheep, swine, and goats, and meat and meat food products thereof, maintained in accordance with the provisions of this act, which fees shall be fixed by the Secretary of Agriculture at a rate which, as nearly as possible, will serve only to defray the cost of said



inspection and examination, and the said fees shall be uniform throughout the United States and shall be collected by the Secretary of the Treasury and shall be deposited in the Treasury; and a schedule of such fees, together with the rules and requirements relating to the collection thereof, shall be set forth in regulations prescribed by the Secretary of Agriculture and approved by the Secretary of the Treasury. The fund thereby created shall be subject to the requisition of the Secretary of Agriculture, as if appropriated by Congress, for the necessary expenses of carrying out the provisions of this act and shall continue permanently available until used.

That the Secretary of Agriculture, at his discretion, may cause to be made an examination and inspection of all cattle, sheep, swine, and goats which are to be slaughtered and the meat and meat food products thereof are to be used in interstate commerce; and all cattle, sheep, swine, and goats found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, or goats, and when so slaughtered the carcasses of said cattle, sheep, swine, or goats shall be subject to a careful examination, all as provided by the rules and regulations to be prescribed by the Secretary of Agriculture as herein provided for.

That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle, sheep, swine, and goats intended for export to foreign countries at such times and places and in such manner as he may deem proper, to ascertain whether such cattle, sheep, swine, and goats are free from disease.

And for this purpose he may appoint inspectors, who shall be authorized to give an official certificate clearly stating the condition in which such cattle, sheep, swine, and goats are found.

And no clearance shall be given to any vessel having on board cattle, sheep, swine, or goats for export to a foreign country until the owner or shipper of such cattle, sheep, swine, or goats has a certificate from the inspector herein authorized to be appointed, stating that the said cattle, sheep, swine, or goats are sound and healthy, or unless the Secretary of Agriculture shall have waived the requirement of such certificate for export to the particular country to which such cattle, sheep, swine, or goats are to be exported.

That the Secretary of Agriculture shall also cause to be made a careful inspection of all cattle, sheep, swine, and goats and their carcasses, the meat of which, fresh, salted, canned, corned, packed, cured, or otherwise prepared, is intended for export to any foreign country, at such times and places and in such manner as he may deem proper, to ascertain whether said cattle, sheep, swine, or goats are healthy and their meat sound and wholesome.

And for this purpose he may appoint inspectors, who shall be authorized to give an official certificate stating the condition in which said cattle, sheep, swine, or goats, and the meat thereof, are found.

And no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef, mutton, pork, or goat meat, being the meat of animals killed after the passage of this act, for export to and sale in a foreign country from any port in the United States, until the owner or shipper thereof shall obtain from an inspector appointed under the provisions of this act a certificate that the said cattle, sheep, swine, and goats were sound and healthy at the time of inspection, and that their meat is sound and wholesome, unless the Secretary of Agriculture shall have waived the requirements of such certificate for the country to which said cattle, sheep, swine, and goats, or meats are to be exported.

That the inspectors provided for herein shall be authorized to give official certificates of the sound and wholesome condition of the cattle, sheep, swine, and goats, their carcasses and products as herein described, and one copy of every certificate granted under the provisions of this act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, swine, and goats or their carcasses and products are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment shall be made.

That no person, firm, or corporation engaged in the interstate commerce of meat or meat food products shall transport or offer for transportation, sell or offer to sell any such meat or meat food products in any State or Territory or in the District of Columbia or any place under the jurisdiction of the United States, other than in the State or Territory or in the District of Columbia or any place under the jurisdiction of the United States in which the slaughtering, packing, canning, rendering, or other similar establishment owned, leased, operated by said firm, person, or corporation is located unless and until said person, firm, or corporation shall have complied with all of the provisions of this act.

That any person, firm, or corporation, or any officer or agent of any such person, firm, or corporation, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished on conviction thereof by a fine not exceeding \$10,000 or imprisonment for a period not more than two years, or by both such fine and imprisonment, in the discretion of the court.

That the Secretary of Agriculture shall appoint from time to time inspectors to make examination and inspection of the sanitary conditions of all carcasses and all meats and meat-food products thereof and all establishments in which such meat and meat-food products hereinbefore described are prepared; and said inspectors shall receive such salaries and perform such duties as provided by this act and by the rules and regulations to be prescribed by said Secretary of Agriculture; and said Secretary of Agriculture shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this act, and all inspections and examinations made under this act shall be such and made in such manner as described in the rules and regulations prescribed by said Secretary of Agriculture.

That any inspection of all cattle, sheep, swine, or goats, the meat, and meat-food products thereof directed to be made in this act shall be subject to appeal from the decision of the inspector making such inspections to the inspector in charge located at such establishment in which such inspection so complained of is made; and from the decision of said inspector in charge an appeal shall lie directly to the Chief of the Bureau of Animal Industry of the Department of Agriculture, at Washington: *Provided*, That the Secretary of Agriculture may, upon his own motion, at any time, consider any case so appealed or may direct the Chief of the Bureau of Animal Industry of the Department of Agriculture to so consider any such case, and the decision of the Secretary of Agriculture or of the Chief of the Bureau of Animal Industry, acting under his directions as herein provided, shall be final and conclusive.

That any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer of the United States authorized to perform the duties prescribed by this act or by the rules and regulations of the Secretary of

Agriculture any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer of the United States in the discharge of any duty herein provided for, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine not exceeding \$10,000 and by imprisonment not exceeding three years, or by both said fine and imprisonment; and any inspector, deputy inspector, chief inspector, or other officer of the United States who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in interstate commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a felony, and shall, upon conviction thereof, be summarily discharged from office and disqualified from holding any office of trust or profit under the United States, and shall be punished by a fine not to exceed \$1,000 or imprisonment not exceeding three years, or by both said fine and imprisonment.

That none of the provisions of this act shall be so construed as to apply to any animals slaughtered by any farmer upon his farm, which may be transported from one State or Territory, or the District of Columbia, or any place under the jurisdiction of the United States, into any other State or Territory, or the District of Columbia, or to any other place under the jurisdiction of the United States: *Provided, however*, That the carcasses of all such animals shall not be allowed to enter any slaughtering, canning, packing, salting, rendering, or similar establishments where meat-food product is prepared for transportation to any other State or Territory, or the District of Columbia, or any place under the jurisdiction of the United States, or to any foreign country, as hereinbefore provided, unless the same are duly inspected under the provisions of this act; and the provisions of this act relating to the inspection of all cattle, sheep, swine, and goats and the products thereof shall include, so far as applicable, dairy products intended for export to any foreign country, and the provisions of this act in relation to marking, stamping, labeling, or otherwise identifying and the penalties for forging, counterfeiting, simulating, or imitating or using without authority such marks, labels, stamps, or other identification marks shall apply to dairy products intended for export to a foreign country.

That all acts and parts of acts which conflict with the terms of this act are hereby repealed, and this act, except as herein otherwise provided, shall take effect upon its passage and approval.

Mr. GALLINGER. I suggest that the last paragraph ought not to go in, it being an amendment. I refer to the repealing clause.

Mr. BEVERIDGE. Very well.

The VICE-PRESIDENT. The amendment will be modified as suggested. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. GALLINGER. I offer an amendment.

The VICE-PRESIDENT. The Senator from New Hampshire proposes an amendment, which will be stated.

The SECRETARY. On page 36, after line 13, insert the following:

*Provided*, That an investigation shall be made by said Bureau into the effects on health of undrawn fowls and animals sold as food, report to be made to Congress at its next session.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PROCTOR. I ask that the Secretary change the totals where the appropriations have been increased on the floor of the Senate.

The VICE-PRESIDENT. By unanimous consent, it is so agreed.

#### INDIAN APPROPRIATION BILL.

Mr. CLAPP. I submit a conference report on the Indian appropriation bill, and ask that it be printed in the Record.

The VICE-PRESIDENT. The Senator from Minnesota submits a conference report, and asks that it be printed in the Record. Is there objection? The Chair hears none, and it is so ordered.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15331) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1907, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 12, 13, 14, 15, 27, 30, 32, 37, 41, 48, 51, 58, 62, 64, 66, 67, 68, 69, 70, 91, 93, 109, 113, 115, 117, 137, 138, 140, 141, 142, 146, 154, 178, 179, 180, 181, 195, 197, 203, and 204.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 10, 16, 17, 20, 21, 22, 23, 24, 25, 26, 28, 29, 31, 33, 35, 39, 40, 42, 43, 44, 45, 47, 49, 53, 54, 55, 57, 59, 60, 61, 63, 71, 72, 73, 74, 76, 78, 81, 83, 85, 86, 87, 88, 89, 90, 92, 94, 97, 99, 100, 101, 104, 105, 107, 108, 110, 111, 112, 114, 119, 120, 121, 122, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 148, 149, 150, 151, 155, 156, 157, 158, 159, 160, 163,



164, 105, 167, 168, 170, 171, 172, 173, 174, 175, 176, 182, 186, 187, 188, 189, 190, 192, 193, 194, 196, 198, 199, 200, and 201; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In line 1 strike out "upon the petition" and insert "prior to the expiration of the trust period."

In line 5, after the word "best," insert "Provided further, That this shall not apply to lands in the Indian Territory."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In line 3 strike out "to be subjected to" and insert "for."

In line 7, after "Interior," strike out all that follows, including the word "hereunder," in the last line.

And the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Strike out the word "ninety-three" and insert "fifty;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Strike out "ninety-three" and insert "fifty;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 5 strike out "expenses in connection therewith" and insert "including expenses."

In line 7 strike out "also" and insert "and."

In line 8 strike out "a comprehensive irrigation system" and insert "an irrigation system and storage system."

In lines 10 and 11 strike out "including consideration of a possible storage system."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: Strike out all of said amendment and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell or dispose of unallotted lands in the Coeur d'Alene Indian Reservation, in the State of Idaho.

"That as soon as the lands embraced within the Coeur d'Alene Indian Reservation shall have been surveyed, the Secretary of the Interior shall cause allotments of the same to be made to all persons belonging to or having tribal relations on said Coeur d'Alene Indian Reservation, to each man, woman, and child one hundred and sixty acres, and, upon the approval of such allotments by the Secretary of the Interior he shall cause patents to issue therefor under the provisions of the general allotment law of the United States.

"That upon the completion of said allotments to said Indians the residue or surplus lands—that is, lands not allotted or reserved for Indian school, agency, or other purposes—of the said Coeur d'Alene Indian Reservation shall be classified, under the direction of the Secretary of the Interior, as agricultural lands, grazing lands, or timber lands, and shall be appraised under their appropriate classes by legal subdivisions, and upon completion of the classification and appraisal such surplus lands shall be opened to settlement and entry, under the provisions of the homestead laws, at not less than their appraised value, in addition to the fees and commissions now prescribed by law for the disposition of lands of the value of one dollar and twenty-five cents per acre, by proclamation of the President, which proclamation shall prescribe the manner in which these lands shall be settled upon, occupied, and entered by persons entitled to make entry thereof: *Provided*, That the price of said lands when entered shall be fixed by the appraisement, as herein provided for, which shall be paid in accordance with rules and regulations to be prescribed by the Secretary of the Interior upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry and the balance in five equal annual installments to be paid in one, two, three, four, and five years, respectively, from and after the date of entry; and in case any entryman fails to make the annual payments, or any of them, promptly when due all rights in and to the land covered by his or her entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for sale and entry: *Provided*, That the right to com-

mute by said entryman shall be allowed as to any lands classified as agricultural and grazing lands, but the entryman, upon commutation, shall not be required to pay in the aggregate any sum in excess of the appraised value of such lands; and nothing in this act shall be held to repeal or extend the provisions of the homestead laws permitting the entryman to cut and remove, or cause to be cut and removed, so much timber as is actually necessary for buildings, fences, and other improvements on the land entered: *Provided further*, That the general mining laws of the United States shall extend after the approval of this act to any of said lands, and mineral entry may be made on any of said lands, but no such mineral selection shall be permitted upon any lands allotted in severalty to the Indians: *Provided further*, That all the coal or oil deposits in or under the lands on the said reservation shall be and remain the property of the United States, and no patent that may be issued under the provisions of this or any other act of Congress shall convey any title thereto: *Provided further*, That the lands remaining undisposed of at the expiration of five years from the opening of the said lands to entry shall be sold to the highest bidder for cash, at not less than one dollar per acre, under rules and regulations to be prescribed by the Secretary of the Interior, and that any lands remaining unsold ten years after the said lands shall have been opened to entry may be sold to the highest bidder for cash without regard to the above minimum limit of price: *And provided further*, That sections sixteen and thirty-six of said lands be, and they are hereby, excepted from the foregoing provisions and are hereby granted to the State of Idaho for school purposes, and the United States shall pay to said Indians therefor the sum of one dollar and twenty-five cents per acre: *And provided also*, That if the State of Idaho has made any selections under existing law in lieu of sections sixteen and thirty-six of the lands affected by this act the acreage of such selections shall be deducted from the acreage to be paid for under the preceding proviso.

"That the said lands shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, and enter any of said lands except as prescribed in such proclamation.

"That the Secretary of the Interior shall reserve from said lands, whether surveyed or unsurveyed, such tracts for town-site purposes as in his opinion may be required for the future public interests, and he may cause any such reservations or parts thereof to be surveyed into blocks and lots of suitable size, and to be appraised and disposed of under such regulations as he may prescribe, and the net proceeds derived from the sale of such lands shall be paid to said Indians as provided in section seven of this act.

"That the net proceeds arising from the sale and disposition of the lands aforesaid, including the sums paid for mineral and town-site lands, shall be, after deducting the expenses incurred from time to time in connection with the allotment, appraisal, and sales and surveys herein provided; deposited in the Treasury of the United States to the credit of the Coeur d'Alene and confederated tribes of Indians belonging and having tribal rights on the Coeur d'Alene Indian Reservation, in the State of Idaho, and shall be expended for their benefit, under the direction of the Secretary of the Interior, in the education and improvement of said Indians and in the purchase of stock cattle, horse teams, harness, wagons, mowing machines, horserakes, thrashing machines, and other agricultural implements for issue to said Indians, and also for the purchase of material for the construction of houses or other necessary buildings, and a reasonable sum may also be expended by the Secretary, in his discretion, for the comfort, benefit, and improvement of said Indians: *Provided*, That a portion of the proceeds may be paid to the Indians in cash per capita, share and share alike, if in the opinion of the Secretary of the Interior such payments will further tend to improve the condition and advance the progress of said Indians, but not otherwise: *Provided*, That any sums placed in the Treasury of the United States to the credit of said Indians shall bear interest at the rate of three per centum per annum, which interest shall be expended in the same manner as the principal.

"That any of said lands necessary for agency, school, and religious purposes, including any lands now occupied by the agency buildings, and the site of any sawmill, gristmill, or other mill property on said lands are hereby reserved for such uses so long as said land shall be occupied for the purposes above designated: *Provided*, That all such reserved lands shall not exceed in the aggregate three sections and must be selected



in legal subdivisions conformable to the public surveys, such selection to be under the direction of the Secretary of the Interior and subject to his approval.

"That the Secretary of the Interior is hereby vested with full power and authority to make all needful rules and regulations as to the manner of sale, notice of same, and other matters incident to the carrying out of the provisions of this act, and with authority to reappraise and reclassify said lands if deemed necessary from time to time, and to continue making sales of the same, in accordance with the provisions of this act, until all of the lands shall have been disposed of.

"That nothing in this act contained shall be construed to bind the United States to find purchasers for any of said lands, it being the purpose of this act merely to have the United States to act as trustee for said Indians in the disposition and sales of said lands and to expend or pay over to them the net proceeds derived from the sales as herein provided.

"That to enable the Secretary of the Interior to allot, classify, appraise, and conduct the sale and entry of said lands as in this act provided the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated from any money in the Treasury not otherwise appropriated, the same to be reimbursed from the proceeds of the sales of the aforesaid lands: *Provided*, That when funds shall have been procured from the first sales of the land the Secretary of the Interior may use such portion thereof as may be actually necessary in conducting future sales and otherwise carrying out the provisions of this act."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In line 2, after the word "the" (first occurring in said line), insert "unallotted."

In line 10, after the word "tracts," insert "from said lands."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In line 14, after the word "proceedings," insert "not exceeding \$60,000."

In line 21, after "same," insert: "*Provided*, That notice of hearing of such application to determine such compensation shall be given the governor of the Cherokee Nation or the attorney of record thereof and the Secretary of the Interior at least thirty days before the day of said hearing."

And the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In line 1, after "shall," insert "upon completion of the approved rolls."

In line 2 strike out "the tribal" and insert "such."

In line 5 strike out "free of charge" and insert:

"That any person who shall copy any roll of citizenship of the Creek, Cherokee, Choctaw, Chickasaw, or Seminole tribes of Indians, prepared by or under the direction of the Secretary of the Interior, the Commissioner to the Five Civilized Tribes or the Commissioner to the Five Civilized Tribes, whether completed or not, or any person who shall, directly or indirectly, exhibit, sell, offer to sell, give away, offer to give away, or in any manner or by any means offer to dispose of, or who shall have in his possession, any such roll or rolls, any copy of the same, or a copy of any portion thereof, shall be deemed guilty of a misdemeanor, and punished by imprisonment for not exceeding two years: *Provided*, That this act shall not apply to any persons authorized by the Secretary of the Interior, the Commissioner of Indian Affairs, or the Commissioner to the Five Civilized Tribes to copy, exhibit, or use such rolls, or a copy thereof, for any purpose necessary or required by law."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In line 4 strike out "have" and insert "had."

In line 4, after "prior to," insert "March 4, 1906."

In lines 4 and 5 strike out "the closing of the rolls by the Secretary of the Interior."

In line 6 strike out "have furnished" and insert "furnish."

Strike out all of said amendment after "thereof" in the sixth line.

And the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In line 13, after "States," insert: "And insert in said act in lieu of the matter repealed the following: *Provided further*, That nothing

herein shall be construed so as hereafter to permit any person to file an application for enrollment or to be entitled to enrollment in any of said tribes, except for minors, the children of Indians by blood, or of freedmen members of said tribes, or of Mississippi Choctaws identified under the fourteenth article of the treaty of 1830, as herein otherwise provided, and the fact that the name of a person appears on the tribal roll of any of said tribes shall not be construed to be an application for enrollment;" and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In line 15, after "beginning," insert "and the place of recording and holding court in said district shall be Duncan;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows: In line 1, after "who," insert "has been;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows: In line 4, after "amounts," insert "if any;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows: In line 6, after "Spade," insert: "Famous Dew numbered 28500, Alexander Proctor numbered 28332, Lizzie Sunday numbered 1522, Sarah Ooyusuttah numbered 20399, Betsy Galcatcher numbered 15211, George W. Bark numbered 18565, Nellie Hicks numbered 6179, Charley Ellis numbered 29525, Tillman England numbered 18003, Taylor Soldier numbered 6315, Carry Downing numbered 18168, Tyler Tilden numbered 6441, Lewis Dragger numbered 27407, Joshua Young numbered 6291;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In line 6, after "removed," insert "that all restrictions upon the sale of the northeast quarter of the southwest quarter of section fifteen, township ten, range eleven east, in the Creek Nation, the homestead of Martha Lowe, be and hereby are removed: *Provided*, That the same be sold under direction of the Secretary of the Interior and upon condition that the said Secretary shall retain the proceeds of such sale and disburse the same in such amounts and at such times as he deems advisable. That all restrictions upon the alienation of the west half of the southeast quarter of the southeast quarter and the southeast quarter of the southeast quarter of the southeast quarter of section twelve, township seven, north of range eight, formerly owned by Manda Proctor, deceased Creek Indian, are hereby removed. That all restrictions upon the alienation or leasing of lands held by Sallie Carey, Bell Leverett (née Murrell), Maria Williams (née Jamison), Andrew Wiley and Susie Wiley, mixed blood Creek Indians, and William N. Taliaferro and Mary Estella Taliaferro (his wife), Choctaw allottees, in the Indian Territory, be, and the same are hereby, removed. That all restriction upon the alienation, leasing, or incumbrance as to the homestead of Nocos Fixico, in the Creek Nation, Indian Territory, be and are hereby removed;" and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: Restore the matter sought to be stricken out and insert the matter in italics; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: Strike out all of said amendment and insert:

"That the Secretary of the Interior is hereby authorized and directed to make practical and exhaustive investigation of the character, extent, and value of the coal deposits in and under the segregated coal lands of the Choctaw and Chickasaw nations, Indian Territory; and the expense thereof, not exceeding the sum of fifty thousand dollars, shall be paid out of the funds of the Choctaw and Chickasaw nations in the Treasury of the United States: *Provided*, That any and all information obtained under the provisions of this act shall be available at all times for the use of the Congress and its committees."

And the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In line 1

strike out "fifty-five" and insert "fifty-one;" and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In line 8, after "eighty-five," insert "Provided, That the Secretary of the Interior shall first approve said payment;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In line 2 strike out "Ed. L. Rogers" and insert "James I. Coffey, Chipewewa allottee No. 123, of the Fond du Lac (Minnesota) band;" and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In line 29, after "timber," insert "or any part thereof;" and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In line 30, after "States," insert "Provided, That the Secretary of the Interior is authorized to convey the same to the State of Minnesota for such consideration and under such terms as may be agreed upon between said Secretary and the governor of said State;" and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: Strike out all of said amendment and insert:

"That all restrictions as to sale, incumbrance, or taxation for allotments within the White Earth Reservation, in the State of Minnesota, now or hereafter held by adult mixed-blood Indians, are hereby removed, and the trust deeds heretofore or hereafter executed by the Department for such allotments are hereby declared to pass the title in fee simple, or such mixed bloods upon application shall be entitled to receive a patent in fee simple for such allotments; and as to full bloods said restrictions shall be removed when the Secretary of the Interior is satisfied that said adult full-blood Indians are competent to handle their own affairs, and in such case the Secretary of the Interior shall issue to such Indian allottee a patent in fee simple upon application."

And the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: Restore the matter sought to be stricken out and add the matter in italics; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In line 2, after "authorized," insert "in his discretion;" and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: Strike out all of said amendment and insert:

"That the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to construct an additional building for dining room and other purposes at the Indian school at Santa Fe, N. Mex."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In line 14, after "Texas," insert "except that the Kickapoos now residing in Oklahoma may receive their shares through the United States Indian agent at Shawnee, Okla., if they so desire;" and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 3, after "Indians," insert "who have heretofore been or are now known as Indians of said tribes."

In lines 7 and 8 strike out "in Oklahoma."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: Strike out all after "Nation," in line 7; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its

disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In line 3 strike out "Jane" and insert "Josephine."

In line 4 strike out "30" and insert "32, Emily Bertrand as to the northwest quarter of section 15, township 6 north of range 1 east, and the heirs of Gertrude E. Collister as to the south half of section 15, township 6 north of range 1 east of the Indian meridian in Oklahoma."

And the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: Strike out all of said amendment and insert:

"That any missionary society or religious organization now occupying, under proper authority, for religious or educational work among the Indians, any of the lands in the Territory of Oklahoma heretofore ceded to the United States by the Indians theretofore occupying the same, and reserved to such societies or organizations for such religious uses on the schedules of allotments approved by the Secretary of the Interior, shall have the right for two years within which to make application for a patent therefor; and the Secretary of the Interior is hereby authorized and directed, upon such application, to issue patents in fee to such religious societies or organizations, severally, for the lands so occupied, not to exceed one hundred and sixty acres to any one institution: *Provided*, That where such Indians, in their agreement under which the lands were ceded and allotted, reserved to themselves a reversionary interest in such lands, such religious society or organization shall pay therefor a fair valuation to be fixed by the Secretary of the Interior, not to be less than the price paid such Indians by the United States for the lands so ceded, and the proceeds therefrom shall be placed to the credit of the tribes or bands by whom such lands were ceded."

And the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In line 2 strike out "per mam su" and insert "Per Mam Su."

In line 6, after "Sac allottee," insert "numbered five hundred and forty-six."

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: Strike out of lines 36, 37, 38, and 39 "the amount necessary to pay said judgment is hereby appropriated out of the funds in the Treasury of the United States to the credit of said Osage Nation;" and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In line 2, after "investigate," insert "as to the validity of."

Strike out from the amendment all after "with," in line 9, and insert "such recommendation as he may deem proper."

And the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In line 2 strike out "and required;" and the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: In lines 1 and 2 strike out "laundry, \$6,000, to be immediately available; for;" and the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment as follows: Strike out "thirty-four" and insert "twenty-eight;" and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with amendments as follows: In line 7 strike out "any."

In the same line, after "balance," insert "if any is."

In line 14 strike out "any" and insert "the."

In line 15, after "Indians," insert "if any."

In line 39, after "cause," insert "and the court may consider all contracts or agreements heretofore entered into by said Indians with attorneys who have represented them in the matter of their claim."

In line 42 strike out "and" and insert "if any."

And the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169,



and agree to the same with an amendment as follows: In line 6, after "prescribe," insert:

"That upon the recommendation of the Commissioner to the Five Civilized Tribes and with the approval of the Secretary of the Interior any allottee in the Indian Territory may be permitted to survey and plat at his own expense for town-site purposes his allotment when the same is located along the line of any railroad where stations are located."

And the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: Restore matter sought to be stricken out and add new matter in italics; and the Senate agree to the same.

Amendment numbered 183: That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: Strike out from lines 14, 15, and 16 "however, That the consent of three-fourths of the adult male Indians to said sale is obtained: And provided;" and the Senate agree to the same.

Amendment numbered 184: That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In line 1 strike out "and completing."

In line 3, after "Utah," insert "the limit of cost of which is hereby fixed at."

In lines 3, 4, and 5 strike out "\$200,000 for the fiscal year ending June 30, 1907, of which."

In line 6, after "dollars," insert "which."

In lines 7 and 8 strike out "the balance of said appropriation to be used as hereafter designated" and insert "the cost of said entire work."

And the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In line 16, after "County," insert "Provided, however, That where patents have been issued prior to March 3, 1903, upon locations made prior to January 1, 1891, of mining claims within the said Uncompahgre Reservation, said patents are hereby validated and confirmed as against any claim or title of the United States."

And the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: Strike out all after "dollars," in line 18, down to and including the word "Indians," at the end of line 21, and insert "and jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render final judgment in the name of Butler & Vale (Marion Butler and Josiah M. Vale), attorneys and counsellors at law, of the city of Washington, D. C., for the amount of compensation which shall be paid to the attorneys who have performed services as counsel on behalf of said Indians in the prosecution of the claim of said Indians for payment for said land, and in determining the amount of compensation for such services the court may consider all contracts or agreements heretofore entered into by said Indians with attorneys who have represented them in the prosecution of said claim, and also all services rendered by said attorneys for said Indians in the matter of said claim. Petition hereunder shall be filed in said court by the said attorneys (Butler & Vale) within thirty days from the passage of this act, and the Attorney-General shall appear on behalf of the defendants, and said cause shall be given preference for immediate hearing in said court, and the Secretary of the Treasury is hereby authorized and directed to pay the sum of money so awarded by said court to the said attorneys (Butler & Vale) upon the rendition of final judgment out of the said sum herein set apart or appropriated for the benefit of said Indians, and payment of said judgment shall be in full compensation to all attorneys who have rendered services to said Indians in the matter of their said claim, the same to be apportioned among said attorneys by said Butler & Vale as agreed among themselves: *Provided*, That before any money is paid to any attorney having an agreement with Butler & Vale as to the distribution of said fees each of the same shall execute and deliver to the Secretary of the Interior a satisfaction and discharge of all claims and demands for services rendered said Indians in the matter of their said claim."

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: Strike out all of lines 86 to 94, inclusive, and insert:

"That the sum necessary to carry out the provisions hereof the Secretary of the Treasury is directed to pay out of the Stockbridge consolidated fund in the Treasury of the United States, which fund on the thirty-first of October, nineteen hundred and four, amounted to \$75,988.60, under the direction and upon the warrant of the Secretary of the Interior."

And the Senate agree to the same.

MOSES E. CLAPP,  
P. J. MCCUMBER,  
FRED T. DUBOIS,

*Managers on the part of the Senate.*

J. S. SHERMAN,  
CHARLES CURTIS,  
JNO. H. STEPHENS.

*Managers on the part of the House.*

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNY, its enrolling clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. SHERMAN, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

#### ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourns to-day, it be to meet on Monday next.

The motion was agreed to.

#### PHILIPPINE COINAGE.

Mr. LODGE. In accordance with the notice I gave yesterday on reporting the bill, I desire to call up the bill (S. 6243) to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands." It is a unanimous report. There is no objection to the bill, and immediate action is very important.

Mr. McLAURIN. I should like to ask the Senator from Massachusetts if it is a very long bill.

Mr. LODGE. It is a bill of only two pages, but is an extremely important measure. It has a unanimous report. It has been submitted also to the Committee on Finance and has their approval and that of the Senator from Colorado [Mr. TELLER] and the Senator from Iowa [Mr. ALLISON]. It is a very short bill. It will not take ten minutes.

Mr. KEAN. Let it be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on the Philippines with amendments.

The first amendment was, in section 1, page 2, line 4, after the words "Philippine Islands," to insert the following proviso:

*Provided*, That the weight and fineness of the silver peso to be coined in accordance with the provisions of this section shall not be reduced below 700 parts of pure silver to 300 of alloy.

So as to make the section read:

That, with the approval of the President of the United States, the government of the Philippine Islands is hereby authorized, whenever in its opinion such action is desirable, in order to carry out the provisions of section 6 of the act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," to change the weight and fineness of the silver coins authorized by said act, and may in its discretion provide a weight and fineness proportionately less for subsidiary coins than for the standard Philippine pesos, and may also in its discretion recoin any of the existing coins of the Philippine Islands at the new weight and fineness when such coins are received into the Treasury or into the gold standard fund of the Philippine Islands: *Provided*, That the weight and fineness of the silver peso to be coined in accordance with the provisions of this section shall not be reduced below 700 parts of pure silver to 300 of alloy.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 19, after the word "coin," to strike out the words "or of gold coin of the United States;" and in line 21, before the word "certificates," to strike out the word "silver;" so as to read:

That section 8 of an act of Congress approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," as amended by section 10 of an act approved February 6, 1905, is hereby further amended to read as follows:

"SEC. 8. That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive at the treasury of the government of the said islands or any of its branches deposits of the standard silver coins of 1 peso authorized by this act to be coined in sums of not less than 20 pesos, Philippine currency, and to issue certificates therefor in denominations of not less than 2 pesos nor more

than 500 pesos, and coin so deposited shall be retained in the treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and for all public dues in the Philippine Islands, and when so received may be reissued, and when held by any banking association in said islands may be counted as a part of its lawful reserve.

The amendment was agreed to.

The next amendment was, at the end of section 2, to strike out the first proviso in the following words:

*Provided*, That the gold coin so deposited may be retained in the treasury or deposited by the treasurer of the Philippine Islands in authorized depositories of funds of the treasurer of the Philippine Islands in the United States on such security as may be approved by the Secretary of War.

And in lieu thereof to insert:

*Provided*, That the treasurer of the Philippine Islands, with the approval of the governor-general, may substitute for any part of such silver pesos hereafter deposited, gold coin of the United States legally equivalent in value, and redeem the certificates hereafter issued in either silver pesos or such gold coin of equivalent value at the option of the Treasurer: *Provided further*.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### KIOWA, COMANCHE, AND APACHE INDIAN RESERVATIONS.

Mr. LONG. I ask unanimous consent for the consideration of the bill (H. R. 17507) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory.

The Secretary read the bill; and there being no objection the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MISSISSIPPI RIVER DAM.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 18026) permitting the building of a dam across the Mississippi River near the city of Bemidji, Beltrami County, Minn.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. KEAN. I have no objection to the bill, but I should like to ask the Senator from Minnesota how many bills of this character he has had passed during the present session?

Mr. NELSON. Quite a number. I can not recall the number.

Mr. KEAN. If I remember rightly, I should say about ten.

Mr. NELSON. This is the last one.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FORTIFICATION OF PURE SWEET WINES.

Mr. FLINT. I ask unanimous consent for the consideration of the bill (H. R. 15266) to amend existing laws relating to the fortification of pure sweet wines.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE-PRESIDENT. The bill has been read heretofore.

Mr. STONE. It is open to amendment?

The VICE-PRESIDENT. It is open to amendment as in Committee of the Whole.

Mr. STONE. On page 2, line 14, after the word "sugar," I move to insert the words "or pure anhydrous sugar."

The amendment was agreed to.

Mr. STONE. On page 2, line 22, after the word "sugar," I move to insert the words "or pure anhydrous sugar."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### BRIDGE ACROSS TALLAHATCHIE RIVER, MISSISSIPPI.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill (H. R. 18439) to authorize the construction of a bridge across Tallahatchie River, in Tallahatchie County, Miss.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LANDS IN FRUITA, COLO.

Mr. TELLER. I ask leave to call up the bill (S. 4400) to grant certain lands to the town of Fruita, Colo.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, page 1, line 11, after the word "Colorado," to insert "upon the payment of \$1.25 per acre by said town to the United States;" so as to make the section read:

That the following-described tract of land, situate in the county of Mesa and State of Colorado, namely, sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 16, or so much thereof as may be desired, in township 14 south, range 102 west of the sixth principal meridian, containing 7,680 acres, more or less, be, and the same is hereby, granted and conveyed to the town of Fruita, in the county of Mesa and in the State of Colorado upon the payment of \$1.25 per acre by said town to the United States, to have and to hold to its use and behoof forever for purposes of water storage and the supply of water for the use of said town; and for these purposes the town of Fruita shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, subject to the existing laws and regulations concerning the preservation of forest reserves and in the construction of reservoirs, laying such pipes and mains, and in making such improvements as may be necessary to utilize the water contained in any natural or constructed reservoirs upon such premises: *Provided, however*, That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States.

The amendment was agreed to.

The next amendment was, to strike out section 2 in the following words:

SEC. 2. That the right to convey water in pipes across the public lands from the aforesaid tract of land to the aforesaid town of Fruita, is also hereby granted to that town.

The amendment was agreed to.

The next amendment was, in section (3) 2, on page 2, line 25, after the word "supply," to insert the following proviso:

*Provided*, That said town shall not have the right to sell, convey, or lease the land herein granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described.

So as to make the section read:

SEC. 2. That nothing shall authorize the cutting or removal of timber from said lands, and it shall be the duty of the town of Fruita on accepting this grant to provide for the proper protection of the forests on the same, and said lands shall not be used for any purpose save that of the protection of the water supply: *Provided*, That said town shall not have the right to sell, convey, or lease the land herein granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DIRECTOR OF RECLAMATION SERVICE.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (H. R. 17833) providing for the administration of the operations of the act of Congress approved June 17, 1902, known as the "reclamation act."

The Secretary read the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill just read?

Mr. KEAN. This is rather an important bill, and I think it had better go over.

Mr. BACON. It seems to me that it is a bill too important to be taken up now at this time.

Mr. KEAN. I have just made that suggestion, I will say to the Senator from Georgia.

Mr. CARTER. I withdraw my request, in view of the wish of Senators to look into the bill.

#### PUBLIC BUILDING AT BUTTE, MONT.

Mr. CLARK of Montana. I ask unanimous consent for the present consideration of the bill (S. 4716) appropriating \$15,000 for acquiring additional ground and necessary improvements for the same for the Federal building at Butte, Mont.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the procuring of additional lands for the enlargement of the site and for necessary improvements for the public building at Butte, Mont."

#### CENSUS STATISTICS.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (H. R. 12064) to amend section 7 of an act



entitled "An act to provide for a permanent Census Office," approved March 6, 1902.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the Census with amendments, on page 2, line 7, before the word "sex," to strike out "name, age," and insert "age;" in line 18, after the word "industries," to strike out "to life, fire, marine, casualty, and other insurance;" and on page 3, line 13, after the word "repealed," to insert: "And the data to be included in the Official Register, which is now required to be transmitted to the Secretary of the Interior, shall hereafter be transmitted to the Director of the Census;" so as to make the bill read:

*Be it enacted, etc.,* That section 7 of the act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, be, and the same is hereby, amended so as to read as follows:

"SEC. 7. That after the completion and return of the enumeration and of the work upon the schedules relating to the products of agriculture and to manufacturing and mechanical establishments provided for in section 7 of the act of March 3, 1899, entitled 'An act to provide for taking the Twelfth and subsequent censuses,' the Director of the Census is hereby authorized decennially to collect statistics relating to the defective, dependent, and delinquent classes; to crime, including judicial statistics pertaining thereto, provided that such statistics shall include information upon the following questions, namely: Age, sex, color, race, nativity, parentage, literacy by race, color, nativity, and parentage, and such other questions relating to these subjects as the Director in his discretion may deem proper; to social statistics of cities; to public indebtedness, valuation, taxation, and expenditures; to religious bodies; to transportation by water, and express business; to mines, mining, quarries, and minerals, and the production and value thereof, including gold in divisions of placer and vein, and silver mines, and the number of men employed, the average daily wage, average working time, and aggregate earnings in the various branches and aforesaid divisions of the mining and quarrying industries; to savings banks and other savings institutions, mortgage, loan, and investment companies, and similar institutions; to the fishing industry in cooperation with the Bureau of Fisheries; and every five years to collect statistics relating to street railways, electric light and power, telephone, and telegraph business. And the Director of the Census shall prepare schedules containing such interrogatories as shall in his judgment be best adapted to elicit the information required under the subjects, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end; and all reports prepared under the provisions of this section shall be designated as 'Special Reports of the Census Office.' For the purpose of securing the statistics required by this section the Director of the Census may appoint special agents when necessary, and such special agents shall receive compensation as hereinafter provided. And the Director of the Census shall edit, index, and publish the Official Register of the United States, and the provisions of existing law imposing that duty upon the Department of the Interior are hereby repealed, and the data to be included in the Official Register, which is now required to be transmitted to the Secretary of the Interior, shall hereafter be transmitted to the Director of the Census."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, May 28, 1906, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate May 25, 1906.*

##### CONSUL.

George H. Pickerell, of Ohio, now consul at St. Michaels, Azores, to be consul of the United States at Para, Brazil, vice Louis H. Aymé, nominated to be consul-general at Lisbon.

##### APPOINTMENT IN THE ARMY.

Rev. Washington William E. Gladden, of Colorado, to be chaplain with the rank of first lieutenant from May 21, 1906, vice Potter, retired from active service.

##### PROMOTIONS IN THE NAVY.

Ensign John J. Hyland to be a lieutenant (junior grade) in the Navy from the 1st day of July, 1905, after having completed three years' service in that grade.

Lieut. (Junior Grade) John J. Hyland to be a lieutenant in the Navy from the 1st day of July, 1905, vice Lieut. Andrew T. Long, promoted.

Asst. Paymaster Ben D. McGee to be a passed assistant paymaster in the Navy from the 11th day of May, 1906, vice P. A. Paymaster John S. Higgins, promoted.

Asst. Paymaster Noel W. Grant to be a passed assistant paymaster in the Navy from the 6th day of March, 1906, vice P. A. Paymaster George A. Deering, resigned.

Boatswain James Laven to be a chief boatswain in the Navy from the 16th day of May, 1906, upon the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1899, as amended by the act of April 27, 1904.

Gunner Thomas S. Aveson to be a chief gunner in the Navy from the 29th day of June, 1905, upon the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1899, as amended by the act of April 27, 1904.

#### WITHDRAWAL.

*Executive nomination withdrawn from the Senate May 25, 1906.*

Carlos C. Bancroft to be postmaster at Montpelier, in the State of Vermont.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate May 25, 1906.*

##### COMMISSIONER-GENERAL OF IMMIGRATION.

Frank P. Sargent, of Illinois, to be Commissioner-General of Immigration in the Department of Commerce and Labor.

##### CONSUL-GENERAL.

Leo Allen Bergholz, of New York, now consul-general at Beirut, to be consul-general of the United States at Canton, China.

##### POSTMASTERS.

###### IOWA.

Albert H. Brooks to be postmaster at Hawkeye, in the county of Fayette and State of Iowa.

###### KANSAS.

Zenas R. Detwiler to be postmaster at Wamego, in the county of Pottawatomie and State of Kansas.

George Manville to be postmaster at Wathena, in the county of Doniphan and State of Kansas.

###### NEBRASKA.

John H. Tower to be postmaster at Sutton, in the county of Clay and State of Nebraska.

###### NEW HAMPSHIRE.

Edward H. Clough to be postmaster at Manchester, in the county of Hillsboro and State of New Hampshire.

###### PENNSYLVANIA.

William Angle to be postmaster at Milford, in the county of Pike and State of Pennsylvania.

###### SOUTH DAKOTA.

William A. Lyons to be postmaster at Geddes, in the county of Charles Mix and State of South Dakota.

###### VERMONT.

Joseph G. Brown to be postmaster at Montpelier, in the county of Washington and State of Vermont.

#### SANITARY CONVENTION.

The injunction of secrecy was removed May 25, 1906, from a sanitary convention signed ad referendum on October 14, 1905, by the delegates of the United States, Chile, Costa Rica, Cuba, the Dominican Republic, Ecuador, Guatemala, Mexico, Nicaragua, Peru, and Venezuela, which had been ratified February 27, 1906.

#### HOUSE OF REPRESENTATIVES.

FRIDAY, May 25, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

Mr. PAYNE. Mr. Speaker, I move that the Journal be approved.

The SPEAKER. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 114, noes 40.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

Mr. PAYNE. I make the point that no quorum is present.

The SPEAKER. The House is dividing, and, in the absence of a quorum, the doors will be closed, the Sergeant-at-Arms will bring in absentees, and the Clerk will call the roll.